
State of Oregon

LEGISLATIVE BRANCH PERSONNEL RULES

Legislative Branch Personnel Rule 18: Holidays

APPLICABILITY: This rule applies to all Legislative Branch employees, where not in conflict with an applicable collective bargaining agreement or law. This rule does not apply to members of the Legislative Assembly.

(1) **Holidays.** For purposes of employment, the following holidays are observed in the Legislative Branch:

- (a) New Year's Day on January 1;
- (b) Martin Luther King, Jr.'s Birthday on the third Monday in January;
- (c) Presidents' Day on the third Monday in February (due to legislative session, recorded as regular hours worked if required to work or administrative leave as stated in subsection (5)(a) of this rule);
- (d) Memorial Day on the last Monday in May;
- (e) Juneteenth on June 19;
- (f) Independence Day on July 4;
- (g) Labor Day on the first Monday in September;
- (h) Veterans' Day on November 11;
- (i) Thanksgiving Day on the fourth Thursday in November;
- (j) The day after Thanksgiving Day;
- (k) Christmas Day on December 25; and
- (l) Any day awarded by the presiding officers.

(2) **Additional holidays.** In addition to the holidays designated above, every day appointed as a holiday in accordance with ORS 187.020 shall be observed as a holiday in the Legislative Branch.

(3) **Holidays on Saturdays or Sundays.** If a holiday listed in subsection (1) of this rule falls on Saturday, it shall be observed on the preceding Friday. If a holiday listed in subsection (1) of this rule falls on Sunday, it shall be observed on the following Monday.

(4) **Holiday during a legislative session.** Holidays occurring during legislative sessions, legislative days or the period required for preparation for legislative sessions or legislative days may be designated by the appointing authority as required working days. When the Legislative Assembly is in session or a legislative day occurs on a holiday, employees are expected to work if asked to do so by their appointing authority.

(5) Holiday leave.

(a) An employee in a full-time status position shall be granted eight hours of paid holiday leave for each holiday. Eight hours of administrative leave shall be granted to all employees, except temporary employees, each year in lieu of Presidents' Day. The administrative leave must be taken within 12 months of the Presidents' Day for which the administrative leave was granted.

(b) An employee in a part-time status position shall be granted holiday leave for each holiday or administrative leave for Presidents' Day, based on the same percentage of a month as the employee is normally scheduled to work.

(c) Exclusive of the holiday, an employee in a full-time status position who is on unpaid leave for more than 32 consecutive work hours or an employee in a part-time status position who is on unpaid leave for more than the equivalent of four full days of work may not be granted the paid holiday leave or administrative leave for Presidents' Day if the holiday or Presidents' Day falls at the beginning or end of or during the period of leave without pay.

(d) When an overtime-eligible employee is working a flexible work schedule that results in a holiday falling on a day when the employee is normally scheduled to work more than eight hours, or, for a part-time employee, when the employee is normally scheduled to work more than the prorated share of the holiday, the appointing authority may:

(A) Reschedule the full-time employee to the standard schedule of five eight-hour work days for the workweek in which the holiday falls;

(B) Reschedule the employee to a different flexible work schedule that results in a total of 40 hours of work time and holiday leave, or, for a part-time employee, the normal weekly hours, for the workweek in which the holiday falls; or

(C) Permit the employee to use paid leave or leave without pay to account for the scheduled hours in excess of the holiday leave.

(e) Compensation for employees who are **required** by their supervisor or appointing authority to work on a holiday will be paid as follows:

(A) Temporary status employees shall be paid straight time for hours worked.

(B) A nonexempt employee who is eligible for overtime shall have the choice of being paid one and a half times the employee's hourly wage or receive compensatory time at one and half times the rate for all hours required to work on a holiday, plus their prorated or 8 hours for the holiday. The employee does not receive an alternative day off.

(C) A nonexempt employee who is not eligible for overtime shall have the choice of being paid one and one-half times the employee's hourly wage for all hours worked on a holiday with no alternative day off, or one alternative day off for the holiday worked with no additional pay. The date of the alternative day off shall be approved by the employee's appointing authority. If the alternative day off is not used within the same month, the employee shall be awarded administrative leave for the number of hours worked on the holiday, up to eight hours. The administrative leave must be taken within 12 months of the holiday.

(D) An exempt employee who is not eligible for overtime shall receive an alternative day off. The date of the alternative day off must be approved by the employee's supervisor. If the alternative day off is not used within the same month, the employee shall be awarded administrative leave for the number of hours worked on the holiday, up to eight hours, which must be taken within 12 months of the holiday.

(f) An employee who **chooses** to work on a holiday may only do so with their supervisor or appointing authority's permission. The employee shall be paid straight time and receive an alternative day off. The date of the alternative day off must be approved by the employee's supervisor. If the alternative day off is not used within the same month, the employee shall be awarded administrative leave for the number of hours worked on the holiday, up to eight hours, which must be taken within 12 months of the holiday.

(g) Payment for appointments on holidays shall be limited as follows:

(A) All employees who are in an employment status other than temporary status and who are appointed on a holiday observed on the first regularly scheduled work day of the month shall be paid for the holiday pursuant to the other provisions of this rule.

(B) An appointment may not be made effective on a holiday observed on a day other than the first day of the month.

(h) Payment for separations on or before holidays shall be limited as follows:

(A) An employee who separates from employment in a month including a holiday on the last regularly scheduled work day of the month shall be paid for the holiday if the employee actually works on the work day immediately preceding the holiday and is otherwise eligible to receive holiday leave.

(B) A separation may not be made effective on a holiday that is observed on any day other than the last day of the month.

(6) Holiday Special Leave.

(a) When granted by the president officers, full time employees receive eight paid hours of holiday special leave. The amount is prorated for part-time employees based on the same percentage of a month as the employee is normally scheduled to work.

(b) The leave is available between the Wednesday before Thanksgiving through January 2 and does not carry over after that date.

(c) The leave may be taken by an employee employed on any working day from the day before Thanksgiving through New Year's Eve, subject to prior approval by the appointing authority or direct supervisor.

Approved: DRAFT