
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) **Observed 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 or administrative leave, if required to work, 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, the holiday shall be observed on the preceding Friday. If a holiday listed in subsection (1) of this rule falls on Sunday, the holiday shall be observed on the following Monday.

- (4) **Holiday during a legislative session.** When directed by the appointing authority or supervisor, employees are required to work on observed holidays occurring during Legislative Assembly sessions, legislative days or the period required for preparation for legislative sessions or legislative days.

- (5) **Holidays Pay.**

- (a) Employees in full-time status positions shall be granted 8 hours of holiday pay for each observed holiday in section (1). Employees in part-time status positions shall be granted prorated holiday pay for each observed holiday in section (1).
- (b) Each year, administrative leave shall be granted to employees in full and part-time status positions in lieu of the President's Day observed holiday. Eight hours of administrative leave shall be granted to full-time employees. Part-time employees shall be granted prorated administrative leave based on the same number of hours as the employee is regularly scheduled to work in a month. Temporary employees are not eligible for administrative leave in lieu of President's Day observed holiday.

Administrative leave in lieu of President's Day observed holiday must be used within 11 months from the date in which the leave is granted. Employees must exhaust all unused administrative leave by the last day of the 11th month from the date the leave is granted. Example: Leave granted on February 18th must be used by January 31st or it will be lost.

- (c) A full-time overtime-eligible employee shall be granted 8 hours of holiday pay when the employee works a flexible workweek schedule of more than 8 hours per day on the same workweek in which a paid holiday is observed. Flexible workweek example: Ten hours per day 4 days per week.
- (d) When an observed holiday falls on a day in which a full or part-time overtime eligible employee is scheduled to work a flexible workweek schedule the appointing authority may:
 - (A) Reschedule the full-time overtime eligible employee to a work schedule of 8 hours per day, in the workweek in which the observed holiday falls; or,
 - (B) Reschedule the full-time overtime eligible employee to a different flexible work schedule not to exceed of 40 hours in the workweek in which the observed holiday falls or,
 - (C) Reschedule the part-time overtime-eligible employee to the number of hours regularly worked in the workweek for the week in which the observed holiday falls.
- (e) Compensation for employees **required** to work. When an appointing authority or supervisor **requires** an employee to work on an observed holiday, the employee shall be paid as follows:
 - (A) Temporary status employees shall be paid straight time for hours worked.
 - (B) **Overtime eligible** employees shall have the option of receiving overtime pay or compensatory time for hours required to work on the observed holiday. Full and part-time overtime eligible employees shall be compensated at a rate of one-

and-one half times per all hours worked, calculated at the employee's base hourly rate, **including differential (shift differential excluded)** for all hours required to work on the observed holiday in addition to prorated or 8 hours for the holiday. The employee does not receive an alternative day off.

(C) An exempt employee shall receive an alternate day off for work performed on an observed holiday. The employee's supervisor must approve the date of the alternate day off. If the alternate day off is not used within the same month the observed holiday occurred, the employee shall be awarded administrative leave for up to eight hours or for the number of hours worked on the observed holiday, which must be taken within 11 months from the date of the observed holiday.

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

(g) Payment for appointments on observed 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 workday of the month shall be paid for the holiday pursuant to the 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 an observed holiday shall be limited as follows:

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

(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.

Approved: