

## **COUNCIL POLICY 3-3-5**

**DISTRIBUTION:** City Manager, All Departments

**SUBJECT:** Holiday Leave

**APPLICATION:** Applies to City of Muskogee Non-Union Employees except as may be provided differently to those eligible under a collective bargaining agreement, this Policy applies to all City of Muskogee employees, which may exclude the positions of Police and Fire Chief. Although it is understood by state law that neither the Fire or Police Chief are covered under the terms of the respective collective bargaining agreement, for purposes of this policy, they may be entitled to the same holiday provisions as their respective collective bargaining unit.

**PURPOSE:** To govern and explain the administration of the Holiday Leave benefits provided to non-Union City employees.

### **Holiday Leave**

1. The following holidays are observed by the City and shall be granted to full time employees with pay and to temporary employees without pay unless such temporary employees are required to be on duty:

- New Year's Day (January 1st)
- Martin Luther King Day (third Monday in January)
- Memorial Day (last Monday in May)
- Independence Day (July 4th)
- President's Day (third Monday in February)
- Labor Day (first Monday in September)
- Veteran's Day (November 11th)
- Thanksgiving Day (fourth Thursday in November)
- Friday after Thanksgiving
- Christmas Eve (December 24th)
- Christmas Day (December 25th)
- Two (2) Floating Holidays (Equal to Employee's Birthday and Personal Business Day)

2. For purposes of this policy, the following holidays shall be considered "primary\* holidays": Christmas Day, Thanksgiving Day and Independence Day (July 4th).
3. Full-time employees whose regularly scheduled day off falls on a holiday shall be entitled to eight (8) hours straight time holiday pay. If any holidays fall on Saturday, the preceding Friday shall be considered the observed holiday and if any holiday falls on Sunday, the following Monday shall be considered the observed holiday for employees who are not working on the Saturday and/or Sunday primary or regular holiday.

4. All employees shall receive straight time holiday pay for each holiday, whether required to work or not. Any full-time, non-exempt employee who is required to work on any of the regular holidays listed above shall be additionally compensated at time and one-half rate for all hours worked on the actual calendar holiday (above and beyond the straight time holiday pay). Employees who are non-exempt and required to work on a primary holiday or who work in excess of the number of hours in the employee's normal work shift shall additionally receive double time for all hours worked on the primary holiday or the excess hours beyond a normal shift as applicable (above and beyond the straight time holiday pay). Regular and primary holiday pay will be for hours worked between 12:00 a.m. until 11:59 p.m. on the actual calendar holiday.
5. The two (2) Floating Holidays shall be used in the fiscal year in which they are accrued (July 1-June 30). If these holidays are not used by an employee, they will be lost when the new fiscal year begins. Employees must request and schedule a floating holiday at least forty-eight (48) hours in advance, using the standard, written Leave Request Form. The Department Head or designee must approve any floating holiday prior to the employee's use of such time. The department will make a conscientious effort to accommodate the employee's request. If an employee is required to work due to an emergency or unforeseen circumstance on a scheduled Floating Holiday, the employee shall receive an alternate day off during the same calendar year and will not be eligible for holiday overtime pay on the originally scheduled floating holiday. Employees who terminate from the City and have not used a Floating Holiday shall not receive compensation for the holiday and shall not be allowed to schedule a Floating Holiday as the last day of employment.
6. When an employee is absent on a holiday for which he or she is scheduled to work, the holiday is forfeited and time shall be deducted from his or her Sick Leave, Administrative Leave or charged to Leave without Pay, whichever is available and/or applicable. Vacation Leave shall only be allowed based on a verified emergency and with a department head's approval. When a holiday falls within a period of Leave Without Pay or Sick Leave not verified by a Doctor's slip immediately preceding or immediately after holiday leave, the employee shall receive no pay for the holiday.
7. Vacation Leave, Compensatory Leave, Administrative Leave or Leave Without Pay may be granted by supervisory approval to an employee for observance of religious holidays or holidays other than those listed and as applicable.
8. Initial hire, probationary employees shall receive a prorated number of floating holidays during their first year of employment as follows:
  - a. If hired July 1 through December 31 = 2 days (16 hrs.)
  - b. If hired January 1 through June 30 = 1 day (8 hrs.)

Additionally, probationary employees shall not be eligible to use a floating holiday until the first working day following sixty (60) calendar days of service. Floating Holiday

Request Forms shall be maintained in the department and related time off shall be recorded along with all other holidays on the departmental payroll timesheet.

9. The appointment of an employee shall not be effective on a holiday, except when the employee has an understanding that he/she must work that holiday. The separation of an employee shall not be effective on a holiday except when the employee works on the specified holiday.
10. Employees covered under the terms of a collective bargaining agreement should refer to the agreement for controlling language concerning this benefit.

REFERENCES: N/A

EFFECTIVE DATE: September 10 2018

RESCISSION: This policy rescinds and supersedes any prior policy in conflict herewith

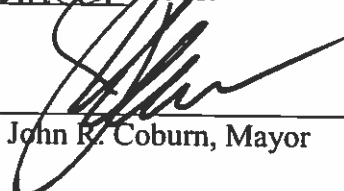
RESPONSIBILITY DEPARTMENT: Human Resources

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS 10<sup>th</sup> DAY OF September, 2018.

ATTEST:

  
Tammy L. Tracy, City Clerk  
(SEAL)



  
John R. Coburn, Mayor

APPROVED as to form and legality this 21st day of September, 2018.

  
Roy Tucker, City Attorney