



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

OP 70.42: Holidays

DATE: February 15, 2019

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to define the university's policy for administering holiday leave for staff employees and faculty employees in compliance with state statutes.

REVIEW: This OP will be reviewed in March of even-numbered years by the Assistant Vice President for Human Resources and the Office of Equal Employment Opportunity with substantive revisions forwarded to the Chief of Staff for the President.

POLICY/PROCEDURE

1. Definitions

- a. **Regular Employee:** A person who is employed to work at least 20 hours per week for a period of at least four and one-half months and is not employed in a position that requires student status as a condition of employment.
- b. **Workday:** A day on which an employee is normally scheduled to work. The term does not include a national or state holiday.

2. General

The State of Texas determines the number of national and state holidays that can be observed each year by all state agencies. The state legislature stipulates only holidays that fall on a weekday may be observed. If a holiday falls on a Saturday or a Sunday, that day cannot be observed on a different day such as the previous Friday or following Monday.

Institutions of higher education are allowed flexibility when establishing their own holiday schedules as long as the total number of holidays observed does not exceed the number of holidays other state agencies observe. While the number of holidays observed is always the same, Texas Tech University may have a different holiday schedule than the other Texas Tech University System component institutions or other state agencies.

The holiday schedule for each Texas Tech University System (TTUS) entity is established by the TTUS Board of Regents each fiscal year.

3. Eligibility

Regular employees are eligible for paid holidays as provided herein:

- a. Regular non-exempt employees who are required to work on an official holiday will be paid for the hours worked and will be paid holiday pay at their regular rate of pay.

A regular non-exempt employee is entitled to the same holidays with pay as an exempt employee. An employee working an irregular schedule during a workweek in which a holiday occurs is entitled to the same number of holiday hours as an employee working the schedule that is normal for most university employees. A regular part-time employee is entitled to holiday hours on a pro rata basis, based upon the percent of time worked.

- b. A new employee who begins working for Texas Tech University (TTU) on the first workday of a month is entitled to be paid for an official university holiday that occurs before the first workday if the holiday occurs during the month of hire and does not fall on a Saturday or Sunday.
- c. An employee who stops working for TTU on the last workday of a month is entitled to be paid for an official university holiday that occurs after the last workday if the holiday occurs during the month of termination and does not fall on a Saturday or Sunday.
- d. If a state or national holiday occurs between the dates an employee terminates from TTU and begins employment with another state agency or an institution of higher education without a break in service, the agency or institution of higher education to which the employee transfers is responsible for paying the employee for the holiday, regardless of whether the agency or institution of higher education that receives the new employee recognizes the holiday.
- e. When an official university holiday occurs during an employee's approved leave with pay, it shall not be charged against the employee's accrued leave. Official university holidays occurring during an employee's approved leave without pay will not be paid and will not interrupt the leave without pay status.
- f. An employee is entitled to be paid for an official university holiday that falls mid-month, provided the employee is in a paid status (work or paid leave) for any portion of both the workday before and the workday after the holiday.
- g. An employee is entitled to be paid for an official university holiday that falls on the first workday of a month, provided the employee is in a paid status (work or paid leave) for any portion of the first workday after the holiday.
- h. An employee is entitled to be paid for an official university holiday that falls on the last workday of a month, provided the employee is in a paid status (work or paid leave) for any portion of the last workday before the holiday.
- i. An employee is entitled to observe Rosh Hashanah, Yom Kippur, Cesar Chavez Day, and/or Good Friday as optional holidays, provided the holidays do not fall on a Saturday or Sunday. Any work time missed must be made up, charged to accrued vacation leave, or taken as leave without pay.
- j. An individual must be an employee on the workday before and after an official university holiday in order to be paid for that holiday, unless the holiday falls on the employee's first or last workday of the month.

4. Approvals

Each administrative officer is responsible for the review and approval of the time and leave reported each pay period and for the approval for payment of any holiday hours to be paid.

5. Authoritative Reference

Texas Government Code, Chapter 662, Subchapter A, Sections 662.001, 662.003, 662.006, 662.007, 662.0072, 662.010, 662.011, and 662.013.

6. Right to Change Policy

Texas Tech University reserves the right to interpret, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.