

**R931-1. Purpose:** To prescribe the Commissioner's Office policy with respect to holidays and related pay practices and eligibility standards.

## R931-2. References

- 2.1. Utah Code §53B-1-106 (Appointment of Commissioner's Staff)
- 2.2. Policy and Procedures R141, Duties of the Commissioner of Higher Education
- 2.3. Policy and Procedures R901, Personnel Definitions
- 2.4. Policy and Procedures R921, Hours of Work and Work Week and Overtime

## R931-3. Policy

**3.1. Standard Holiday Schedule:** Subject to paragraph 3.2, Commissioner's Office salaried personnel employed for 30 or more hours per week are entitled to the following paid holidays:

New Year's Day - 1st day in January  
Martin Luther King/Human Rights Day - 3rd Monday in January  
Presidents' Day - 3rd Monday in February  
Memorial Day - Last Monday in May  
Independence Day - 4th day in July  
Pioneer Day - 24th day in July  
Labor Day - 1st Monday in September  
Thanksgiving - 4th Thursday in November  
Friday following Thanksgiving  
Christmas - 25th day in December

Two Annual Personal Preference Holidays (Two individually selected holidays for the employee's personal use during each calendar year, subject to paragraph 3.4 below).

### 3.2. Variations from Standard Holiday Schedule

- 3.2.1. An additional holiday may be declared from time to time by the Commissioner.
- 3.2.2. A holiday falling on Sunday will be observed the following Monday.
- 3.2.3. A holiday falling on Saturday will be observed the previous Friday.

**3.3. Days of Religious Observance:** The Commissioner's Office recognizes the existence of various days of religious observance or obligation. To be consistent with the Commissioner's Office policy of nondiscrimination and to provide flexibility for personal choice, two personal preference holidays are provided annually for personal use for any purpose selected by the employee. If an individual wishes to

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<sup>1</sup> Approved July 19, 1983, amended October 13, 1986, April 16, 1993, December 9, 2004 and March 18, 2005.

observe additional personal holidays, time off must be arranged in advance and will be deducted from the individual's accrued vacation. Supervisors are encouraged to make every effort to grant these requests.

### **3.4. Rules Relating to Personal Preference Holidays**

3.4.1. Use of a personal preference holidays is at the discretion of the employee, provided that notice of the employee's election to take it is given to the employee's supervisor a reasonable time, but not less than five days, before the scheduled date. The notice need not state any reasons why the specified date was selected as a personal preference holiday.

3.4.2. An employee ordinarily shall have a right to take a personal preference holiday upon the date specified in the notice, unless the employee's supervisor determines that emergency or other highly unusual circumstances require the employee to work on that date in order to prevent serious interference with or substantial harm to Commissioner's Office business, property, personnel, programs, or activities.

3.4.3. Subject to the provisions of preceding paragraphs 3.4.1 and 3.4.2, an employee may schedule a personal preference holiday for the last working day immediately before, or the first working day immediately after, a vacation period.

3.4.4. An employee may take up to two personal preference holidays during each calendar year. Failure to use the personal preference holiday in any calendar year constitutes a waiver of the personal preference holiday privilege for that year, and any such unused holiday does not accumulate into the following calendar year. No payment is made upon termination for unused personal preference holiday time.

3.4.5. Eligible employees accrue two personal preference days on January 1. Those hired January 2 through June 1, receive 1.5 personal preference days. Those hired June 2 through November 1 receive 1 personal preference day and those hired the remainder of the year receive none.

3.4.6. Actual use of personal preference holidays shall be reported on the official leave record, together with reporting of other data relating to time and attendance, in accordance with established Commissioner's Office procedures.

### **3.5. Holiday Premium Pay**

3.5.1. Full-time permanent and probationary staff employees who are required to work on designated holidays other than a personal preference holiday, will be paid, in addition to regular pay, a premium payment equal to one-half of their base hourly rate for such hours worked on these days.

3.5.2. Part-time permanent and probationary employees are eligible for holiday premium pay on a pro-rated basis.

3.5.3. Temporary employees are not eligible for holiday premium pay.

3.5.4. Payment for a holiday which occurs during a period of leave of absence without pay will be made only when the individual works at least one full day during the workweek in which the holiday occurs or otherwise receives compensation for a portion of the work week by being on sick leave or paid vacation status.

### 3.6. Overtime

3.6.1. Holiday premium pay is paid in addition to any overtime payment due. Premium pay for holiday work will not be included in determining the regular hourly rate of pay for the purpose of calculating overtime payments.

3.6.2. Holiday hours are not considered as time worked in the computation of overtime.

3.7. **Time Off for Holidays Worked:** Time-and-a-half off , at a mutual convenience of the employee and the employing unit, shall be given if permanent and probationary staff employees(exempt and non-exempt) are required to work on a holiday. The alternative holiday will be scheduled within the current fiscal year. Exception: If the employee terminates or management is unable or chooses not to reschedule the holiday time off, the eight hours will be paid as time at the base hourly rate.

3.8. **Hire and Termination Dates:** A holiday or weekend day normally will not be reported as a hire to termination date unless the individual is in work status that day.