

## **Rule 5-300A: Scope, Eligibility, and Limitations for Holidays- University Employees (Other than UUHC Staff).**

### **I. Purpose and Scope**

To implement University [Policy 5-300](#) and provide the scope, eligibility, and limitations for paid Holidays available as a benefit for University Employees. This Rule applies to University Employees other than Employees of the University Hospitals and Clinics (UUHC). Employees of UUHC should refer to [Rule 5-200B](#), Paid Time Off (PTO), Holidays, and Other Paid Leave for University of Utah Hospitals and Clinics Staff Members.

### **II. Definitions**

A. The definitions of Employee categories ("Employee," "Administrative Officer," "Faculty," "Non-Faculty Academic Employee," and "Staff"), and of the terms "Benefits-eligible Position", "Exempt", "Full-time", "FTE", "Non-exempt", "Probationary Period", and "Temporary" provided in Policy 5-001, Employee Definitions, apply for purposes of this Rule.

### **III. Rule**

#### **A. Eligibility**

University Employees (including Administrative Officers, Faculty, Non-faculty Academic Employees, and Staff) are eligible for Holiday pay for those Holidays designated in Policy 5-300 (including the two annual Personal Preference Holidays there described) if they hold a Benefits-eligible Position at .50 FTE or greater.

#### **B. Hours of Pay**

Eligible Employees employed at 1.0 FTE receive 8 hours of pay for each Holiday (including each Personal Preference Holiday). If an eligible Employee is

employed at less than 1.0 FTE (but at least .50 FTE) the paid Holiday hours are prorated by the Employee's percentage of FTE.

### C. Holidays

#### 1. Variations from Standard Holiday Schedule

- a. An additional Holiday may be declared from time to time by the president of the University.
- b. A Holiday falling on Saturday will be observed the preceding Friday.
- c. A Holiday falling on Sunday will be observed the following Monday.

2. 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. Holiday Premium Pay (and Overtime)

- a. Staff in Non-exempt (hourly) positions who are eligible to receive Holiday pay and are required to and do work on a designated Holiday 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 a Holiday.
- b. Holiday premium pay is paid in addition to any overtime payment due. Premium pay for a Holiday worked will not be included in determining the regular hourly rate of pay for the purpose of calculating overtime payments.
- c. Employees in Temporary positions are not eligible for Holiday premium pay.

- d. Holiday hours are only considered in the computation of overtime if the hours were actually worked.
- 4. Employees in Benefits-eligible Positions (both Exempt and Non-exempt) who are required to and do work on a Holiday (other than a Personal Preference Holiday) shall receive equal time off (not to exceed 8 hours), which shall be scheduled at the mutual convenience of the Employee and the employing unit. The equal time off alternative Holiday should be scheduled within the same pay period, if possible, or will be scheduled within the current fiscal year. Exception: If the equal time off is not taken because 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. For Staff in Non-exempt positions, the equal time off granted in this paragraph is in addition to the Holiday premium pay in paragraph 3 above.
- 5. In the event a University of Utah Hospitals and Clinics Employee in a position governed by [Rule 5-200B](#) (PTO) transfers to a University position governed by this Rule 5-300A, all accrued Holiday Leave from the UUHC position will be paid to the Employee upon transfer.

D. Personal Preference Holidays

- 1. The two Personal Preference Holidays (which eligible Employees receive under Policy 5-300) accrue annually on January 1.
- 2. A new Employee is eligible for Personal Preference Holidays based on his/her date of hire:

Hire Date	Personal Preference Holidays
January 1	2 days
January 2 through June 1	1 ½ days

June 2 through November 1	1 day
Employees hired November 2 or after are not eligible for Personal Preference Holidays until the following January 1.	

3. Scheduling of use of a Personal Preference Holiday is at the discretion of the Employee, provided that notice is given to the Employee's supervisor within a reasonable time, but not less than five work days before the scheduled date. The notice need not state any reasons why the specified date was selected as a Personal Preference Holiday. 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 University business, property, personnel, programs, or activities.
4. If an Employee uses their Personal Preference Holidays for religious holidays and wishes to observe additional religious holidays, time off must be arranged in advance and will be deducted from the Employee's accrued vacation. Supervisors are encouraged to make every effort to grant these requests consistent with business necessity.
5. Use of Personal Preference Holidays should be arranged in advance and authorized by the responsible supervisor so that the efficiency of the organizational unit is not compromised.
6. An Employee may take a maximum of two Personal Preference Holidays during each calendar year. Failure to use a Personal Preference Holiday in any calendar year constitutes a waiver of the Personal Preference Holiday privilege for that year to the extent of such non-use, and an unused Personal Preference Holiday does not accumulate into the following calendar year. No

payment is made upon termination for unused Personal Preference Holiday time.

7. Actual use of Personal Preference Holidays shall be reported, together with reporting of other data relating to time and attendance, in accordance with established University Procedures.

---

*[Note: Parts IV-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per [Policy 1-001](#) and [Rule 1-001](#).]*

---

#### **IV. Rules, Procedures, Guidelines, Forms and other Related Resources**

##### A. Policies

[Policy 5-300](#): Holidays

##### B. Procedures

##### C. Guidelines

##### D. Forms

##### E. Other related resource materials

[Rule 5-200B](#): Paid Time Off for University of Utah Hospitals and Clinics

#### **V. References (Reserved)**

#### **VI. Contacts**

The designated contact officials for this Policy are:

- A. Policy Owner (primary contact person for questions and advice): the University's Director of Benefits
- B. Policy Officers: the University's Chief Human Resources Officer.

These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provided in [University Rule 1-001](#):

*"A "Policy Officer" will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases.... "*

*"The Policy Officer will identify an "Owner" for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the Policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... [and] bears the responsibility for determining which reference materials are helpful in understanding the meaning and requirements of particular Policies... ." University Rule 1-001-III-B & E*

## **VII. History**

Current Version:

Rule 5-300A: Rev.0

Approved by the Academic Senate on September 8, 2014

Approved by the Board of Trustees on October 14, 2014

Legislative History- Revision 0

OUTDATED