

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

Revision 1. Effective date: November 8, 2022

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I. Purpose and Scope

A. Purpose.

To implement University Policy 5-300 and provide the scope, eligibility, and limitations for paid Holidays available as a benefit for University Employees.

B. Scope.

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

The definitions provided in Policy 5-300 apply for this rule. In addition, the terms below apply for the limited purpose of this rule.

- 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.
- B. "Holiday" means a holiday described in Policy 5-300 or a Holiday declared by the president.

III. Rule

- A. Eligibility
 - 1. 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 described below) if they hold a Benefits-eligible Position at .50 FTE or greater.
- B. Hours of Pay
 - 1. 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. An additional Holiday may be declared from time to time by the president of the University.

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 the Employee's 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.

Sections IV- VII are for user information and are not subject to the approval of the Academic Senate or the Board of Trustees. The Institutional Policy Committee, the Policy Owner, or the Policy Officer may update these sections at any time.

IV. Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources

A. Policies/ Rules.

1. Policy 5-300: Holidays

- B. Procedures, Guidelines, and Forms. [*reserved*]
- C. Other Related Resources. [*reserved*]

V. References

- A. [*reserved*]

VI. Contacts

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

See University Rule 1-001 for information about the roles and authority of policy owners and policy officers.

VII. History

Revision History.

- A. Current version. Revision 1.
 - 1. Approved by Chief Human Resources Officer with effective date of November 8, 2022.
 - 2. Legislative History for current version.
 - 3. Editorial Revisions. [*reserved*]
- B. Past versions.
 - 1. Revision 0 Effective October 14, 2014.
 - a. Legislative History for Revision 0.
- C. Renumbering
 - 1. Not applicable