

## RESOLUTION

**WHEREAS**, the Board of Supervisors has adopted County of Albemarle Personnel Policies pursuant to Albemarle County Code Section 2-901; and

**WHEREAS**, the Board desires to amend Section P-81 regarding holidays.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Supervisors of Albemarle County, Virginia, hereby amends Section P-81, Holidays, of the County of Albemarle Personnel Policies, as follows:

### **Section P-81 Holidays**

#### **A. Holidays Observed**

The County has established the following holiday schedule for County 12-month benefits-eligible employees. ~~All permanent employees are allowed twelve paid holidays per year:~~

1. New Year's Day – January 1
2. Martin Luther King, Jr. Day - Third Monday in January
3. President's Day (Washington's Birthday) – Third Monday in February
- ~~4. Jefferson's Birthday—April 13~~
- ~~4~~5. Memorial Day – Last Monday in May
- ~~5~~6. Independence Day – July 4
- ~~6~~7. Labor Day – First Monday in September
- ~~7~~8. Veteran's Day – November 11
- ~~8~~9. Thanksgiving Day – Fourth Thursday in November
- ~~9~~10. Friday after Thanksgiving
- ~~10~~11. Christmas Eve – December 24
- ~~11~~12. Christmas Day – December 25
12. Floating Holiday – 1 day per fiscal year

Other holidays are granted by special proclamation of the ~~Governor and/or~~ Board of Supervisors. ~~Holiday leave for qualified employees is paid. Permanent employees are eligible for holidays with pay as soon as they begin work. If a holiday falls on a Sunday, the following day will be observed as a holiday. If a holiday falls on a Saturday, the previous day will be observed as a holiday. If a holiday falls within the employee's vacation, it is not charged to that employee's annual leave.~~

#### Holiday Pay

~~Employees who are terminating employment with the County will not qualify for holiday pay unless they work the next working day after the holiday.~~

~~Note: The above noted holidays, while being followed by the majority of employees, are not guaranteed as to specific dates. Under some situations, due to coverage requirements, the holidays for an individual employee or group of employees may be scheduled by the department head on alternate dates as long as the total number of holidays per fiscal year is granted to the employee(s).~~

Employees of departments who serve both the County and Albemarle County Public Schools as client groups may choose, with supervisor approval, which holiday leave schedule to follow each fiscal year. If the holiday schedules of the County and Albemarle County Public Schools do not equal the same number of days, County employees who choose to follow the Albemarle County Public Schools holiday schedule must be granted the same number of holidays as other County employees. If business needs necessitate a mid-year change, an employee's schedule shall be adjusted so that the employee receives no more than the Board approved number of holidays granted that fiscal year.

Under certain situations, due to coverage requirements or non-County building closures, the holiday schedule for some departments or groups of employees within departments may fall on alternate dates within the fiscal year. Departments in these situations must receive Director of Human Resources/designee approval for designating alternate holiday schedules. These alternate holiday schedules must equal the number of approved County holidays.

Employees of offices that follow the State holiday schedule (such as the courts and constitutional offices) may be approved for an alternate holiday schedule matching the State's holiday schedule regardless of whether the schedule contains more, fewer, or the same number of days at the County's schedule.

### **B. Qualifying for Holiday Leave**

1. Twelve (12)-month benefits-eligible employees qualify for holiday leave (except floating holiday) as soon as they begin working. New employees must physically work at least a day before a holiday to qualify for holiday leave.
2. Employees who are terminating employment with the County will not qualify for holiday leave unless they physically work a day after the holiday. Approved paid leave may be used in lieu of physically working following a holiday. If a holiday falls on the last day of the month or week, holiday leave may be granted by the department head/designee for retiring employees.
3. If a holiday falls within the employee's scheduled annual leave, holiday leave may be used in lieu of annual leave.

### **C. Working on Holidays**

1. Due to coverage requirements, some employees may be required to work on a scheduled holiday. Any qualified non-exempt employee who is required by the department head/designee to work on a scheduled holiday shall:
  - a. Be paid the hourly rate for the hours worked on the holiday plus the hours normally granted for the holiday; or
  - b. Substitute another day in the workweek / work cycle (for 28-day public safety employees) as holiday leave, including days in the workweek / work cycle (for 28-day public safety employees) before the established holiday.
2. Qualified exempt employees who work on a holiday may take the holiday on another day approved by the supervisor within the fiscal year. Employees may not take the holiday prior to the County designated holiday date, except within the workweek / work cycle (for 28-day public safety employees) in which the holiday falls. Unused holiday leave is never paid out and does not carry over fiscal years. Holiday leave does not transfer if an employee changes departments. It must be taken prior to transfer or it is forfeited.
3. Qualified employees who are scheduled to work on a holiday, but fail to do so for any reason, are considered to have observed the holiday. Unworked scheduled work hours in excess of holiday hours must be covered by use of some other appropriate leave.

4. Alternative Work Schedules: A “day of holiday leave” is equivalent to a “day of leave” as defined in section I(B), above. Employees must discuss the impact of holiday leave on their alternative work schedules with supervisors. Employees are responsible for making up any hourly difference between the hours granted for the holiday and the employees’ work schedule by either using other applicable leave or working at another time during the workweek or work period. Fire Rescue employees on 12- or 24-hour shifts will receive 12 hours of a “day of holiday leave” regardless of their “day of leave” status.

Example: A non-exempt employee’s day of leave is 8 hours/day and the employee’s position is established at 8 hours/day, 5 days/week for a total of 40 hours/week. The employee has an alternative work schedule of 10 hours/day, 4 days/week for a total of 40/hours per week. Eight (8) hours of holiday leave would be granted and the employee must account for the remaining 2 hours by working 2 additional hours within that workweek or using 2 hours of compensatory time leave or annual leave.

#### **D. Floating Holiday**

1. Employees who qualify for holiday leave as of July 1 of each year are granted one (1) day of floating holiday leave for that fiscal year. Qualified employees are granted the floating holiday leave based on their day of leave status on July 1 of each year.
2. Scheduling of a floating holiday shall follow the same approval procedures as annual leave. Floating holiday leave may be used in the same increments as annual leave.
3. Floating holidays do not rollover to the following fiscal year.
  - a. Non-exempt employees who have not taken the floating holiday by June 30 of each year will be paid out for any unused floating holiday leave at the employee’s hourly rate.
  - b. Exempt employees who have not taken the floating holiday by June 30 of each year will not receive additional pay.
  - c. Employees who move during a fiscal year from a non-exempt position eligible for the floating holiday to an exempt position eligible for the floating holiday (and vice versa) will receive/not receive additional pay based upon their non-exempt/exempt status at the end of the fiscal year.
4. Upon transfer/hire from a 12-month position to any position that is not eligible for the floating holiday leave and upon separation of employment:
  - a. Non-exempt employees will be paid out for any unused floating holiday leave at the employee’s hourly rate.
  - b. Exempt employees will not receive additional pay for any unused floating holiday leave.
5. For the implementation year of floating holiday leave, employees who qualified for holiday leave as of July 1, 2019 will be granted one (1) day of floating holiday leave on January 1, 2020 for the remainder of the FY2019-2020 fiscal year.

#### **E. Half-day Holidays**

The Board may grant half-day holidays to benefits-eligible 12-month employees. A “half-day” is defined as half of an employee’s day of holiday leave. Any non-exempt employee who receives approval not to work the other half of the day is responsible for taking compensatory time leave, annual leave, leave

without pay, or arranging with his/her supervisor to work those hours within the workweek. An exempt employee who doesn't work on the half-day may make arrangements with the supervisor to work the time missed on another day within the fiscal year or use annual leave for the half-day.

**F. Religious Holidays**

Any regular or temporary employee observing a religious holiday occurring on the employee's workday may request time off. Supervisors should allow employees to take time off for such occasion if the time off can be accommodated without undue hardship to the department. Leave must be requested in advance in accordance with policy. Supervisors shall contact the Department of Human Resources prior to denying religious holiday leave requests. Applicable accrued leave shall be used. Leave without pay will be considered in the absence of accrued leave.

Amended: August 4, 1993; August 2, 2000; February 10, 2016

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of \_\_\_\_ to \_\_\_\_, as recorded below, at a regular meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Dill	_____	_____
Mr. Gallaway	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____