

# Shelby County Board of Education

4044

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## PAID HOLIDAYS

### I. PURPOSE

To identify holidays that are observed and paid to eligible employees by the Shelby County Board of Education.

### II. SCOPE

This policy applies to all full-time permanent employees unless otherwise covered by an employment agreement; and part-time security employees who by the nature of their assigned regular job duties are required to work on District recognized holidays.

### III. DEFINITION

1. **Active Pay Status** – period for which an employee is working or using accrued paid leave (i.e., vacation, annual or sick) to compensate for hours not worked.
2. **Full-time employee** – any permanent employee who works a minimum of thirty (30) hours per work week.
3. **Holiday Pay** – remuneration an employee receives for District designated holidays.
4. **Holiday Premium Pay** – additional pay authorized by the District for working on District designated holidays.
5. **Part-Time Employee** - an employee who works less than thirty (30) hours per week during a normal forty (40) hour work week.
6. **Permanent Employee** – an employee whose services are not for a specified and limited duration. A permanent employee may work either full or part-time.

7. **Nonexempt Employee** - An employee who is covered by the minimum wage, overtime, and timecard provisions of the Fair Labor Standards Act (Wage-Hour Law). Non-exempt employees are paid on an hourly basis and are eligible for overtime.
8. **Exempt Employee** - An employee who is not covered by the minimum wage and timecard provisions of the Fair Labor Standards Act (Wage-Hour Law). Exempt employees are paid on a fixed salary basis with the expectation that they work a minimum forty (40) hours per week.

#### **IV. POLICY STATEMENT**

The Shelby County Schools recognizes certain days as holidays and pays employees for time off on these days in accordance with the eligibility requirements. However, certain employees (such as security employees) may be required to work on a holiday and will be paid in accordance with guidelines established by the Superintendent or designee. Pay for holidays observed by the District shall be based on the primary work schedule of the employee.

#### **Observed Paid Holidays**

##### **A. Twelve (12) Month Exempt and Non-Exempt Employees:**

All full-time permanent twelve (12) month employees (exempt and non-exempt), except as otherwise provided in an employment contract, shall receive a total of seventeen (17) designated paid holidays as indicated below:

Memorial Day .....	1 day
July 4 <sup>th</sup> .....	1 day
Labor Day .....	1 day
Veterans Day .....	1 day
Thanksgiving .....	2 days (Thanksgiving Day and day after)
Winter Break .....	7 days
MLK Jr., Birthday .....	1 day
Spring Break .....	2 days
Good Friday .....	1 day

##### **B. Non-Twelve (12) Month Non-Exempt Employees:**

All full-time permanent non-twelve (12) month non-exempt employees, except as otherwise provided in an employment contract, shall receive a total of twenty (20) designated paid holidays as indicated below:

Labor Day .....	1 day
Fall Break .....	3 days
Veterans Day .....	1 day
Thanksgiving .....	2 days (Thanksgiving Day and day after)

Winter Break .....	4 days (Christmas Eve, Christmas Day, and 2 Days after Christmas)
New Year's Eve .....	1 day
New Year's Day .....	1 day
MLK Jr., Birthday .....	1 day
Spring Break .....	5 days
Good Friday .....	1 day

**C. Non-Twelve (12) Month Exempt Employees:**

Individuals hired in a full-time permanent exempt position, whose position requires them to work less than twelve (12) months, except as otherwise provided in an employment contract, shall be paid holidays based on the approved Shelby County Schools' Instructional Calendar (see link - Approved paid designated holidays for non-twelve (12) month exempt employees are indicated as Teachers-Out).

**D. Part-Time Security Employees:**

All part-time security employees, except as otherwise provided in an employment contract, who by the nature of their assigned regular job duties are required to work on District recognized holidays shall receive a total of nine (9) designated paid holidays as indicated below:

Memorial Day .....	1 day
July 4 <sup>th</sup> .....	1 day
Labor Day .....	1 day
Veterans Day .....	1 day
Thanksgiving Day .....	1 day
Christmas Eve or Christmas Day.....	1 day
New Year's Ever or New Year's Day .....	1 day
MLK Jr., Birthday .....	1 day
Easter Sunday .....	1 day

**E. Observation of Holidays that Occur on a Weekend**

For any employee, with the exception of part-time security, who works Monday through Friday, a holiday that falls on a Saturday shall be observed on the preceding Friday, and a holiday falling on Sunday shall be observed the following Monday.

**Eligibility Requirements**

A. Employees must be in active pay status the day preceding and the day following the holiday in order to receive holiday pay with the exception of employees who retire at the end of a calendar year. These employees do not have to be in an active pay status following the Winter Break in order to receive holiday pay.

- B. Employees are eligible for holiday pay only if the holiday falls on a normal work day.
- C. If a Board observed holiday falls within an employee's vacation period, the holiday will not be considered as a vacation day.

**Holiday Pay**

Holiday pay shall be at the employee's regular straight time rate of pay for the normal daily hours unless otherwise specified in an employment agreement and/or established administrative rules and regulations.

**V. RESPONSIBILITY**

- A. The supervisor is responsible for ensuring that holidays are properly coded for pay purposes.
- B. Any questions concerning the interpretation of this policy should be directed to the office responsible for human resources
- C. The Superintendent is responsible for ensuring that this policy is followed.

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**Legal References:**

- 1. 29 CFR Part 541

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**Cross References:**

**Issued Date: 08/25/15**

## **PAID HOLIDAYS**

### **Security Employees**

In order to meet the operating needs of the District full and part-time permanent security employees may be required to work on District designated paid holidays. Holiday pay shall be in accordance with the following guidelines.

1. Full-Time Permanent Twelve (12) Month Mobile Security Officers
  - a. Except as otherwise provided in an employment contract, full-time permanent twelve (12) month mobile security officers shall be governed by the standard holiday schedule as outlined in policy (see section A. Twelve (12) Month Exempt and Non-Exempt Employees above).
  - b. Full-time permanent twelve (12) month mobile security officers who are required to work on a District-observed holiday shall receive their base rate of pay for actual hours worked provided that the employee is in active pay status the day before and day after the holiday.
  - c. Holiday pay shall be paid in addition to the regular paycheck and shall be distributed as two (2) separate holiday checks per school year.
  - d. A full-time permanent twelve (12) month mobile security officer who has worked in excess of eight (8) hours a day and 40 hours in a week shall receive overtime pay (Holiday hours shall not be considered as time worked in the computation of overtime).
  - e. In the event a full-time permanent twelve (12) month mobile security officer separates from employment with the District after an observed paid holiday occurs and prior to the designated date that separate holiday checks are given, such payments for the number of eligible holidays (holiday in which the employee was in active pay status) shall be included in the employee's final paycheck.
  
2. Part-Time Security Employees
  - a. Except as otherwise provided in an employment contract, part-time twelve (12) month mobile security employees shall be governed by the standard holiday schedule as outlined in policy (see section D. Part-Time Employees above).

- b. Part-time mobile security employees who are required to work on a District-observed holiday shall be paid holiday premium pay at a rate of two times (2x) the regular rate of pay for actual hours worked.
- c. Premium pay for holiday work shall not be included in the calculation for overtime pay; and employees who work overtime on a holiday shall be compensated at his/her normal overtime rate for overtime hours worked.