

ARTICLE 12 HOLIDAYS

A. UNIVERSITY HOLIDAYS

The University observes the following days as administrative holidays:

1. New Year's Day
2. Third Monday in January (Martin Luther King, Jr. holiday)
3. Third Monday in February (or an announced equivalent)
4. Last Monday in May
5. Fourth of July
6. Labor Day
7. Veteran's Day (at LBNL, subject to DOE approval)
8. Thanksgiving Day
9. Friday following Thanksgiving Day (or an announced equivalent)
10. December 24 (or an announced equivalent)
11. Christmas Day
12. December 31 (or an announced equivalent)
13. Last Friday in March (Cesar Chavez Day) (at LBNL, subject to DOE approval)

B. REGULAR DAY OFF

At the option of the University, a full-time employee whose regular day off falls on a holiday listed above shall receive either eight (8) hours of holiday pay at the regular straight time rate or another day off, and a part-time employee shall receive proportionate holiday pay at the regular straight time rate or another day off up to a maximum of eight (8) hours.

C. PERSONAL HOLIDAY FOR EMPLOYEES AT MEDICAL CENTER HOSPITALS

1. Each member of the unit who works at a medical center, hospital or clinic who is not working on an academic calendar as established by the University shall receive one (1) personal holiday in lieu of Cesar Chavez day in Section A., above. Employees in units that close on the Cesar Chavez holiday are not eligible for the personal holiday. Eligibility for and use of the personal holiday is provided when:
 - a. the employee is a member of the unit on May 1; and
 - b. the employee requests the one (1) day personal holiday between May 1 and April 30; and

- c. the employee meets the eligibility requirements stated in section D. below.
2. The employee shall request use of the personal holiday in advance of the proposed usage date. The University shall grant such requests subject to hospital and clinic operational needs.

D. ELIGIBILITY

A full-time employee is eligible for holiday pay if the employee is on pay status the last scheduled work day before the holiday and the first scheduled work day after the holiday. No employee shall receive holiday pay for any holiday which is immediately preceded by, occurs during, or is followed by an unauthorized absence or a disciplinary suspension. To be eligible for holiday pay, a part-time employee must be on pay status at least one-half (1/2) of the working hours in the month or quadri-weekly cycle. An eligible part-time employee shall receive proportionate holiday pay up to a maximum of eight (8) hours per holiday based on total hours on pay status in the month or quadri-weekly cycle, excluding holiday hours.

E. PREMIUM PAY FOR WORK ON SPECIFIED HOLIDAYS

An employee shall be paid at the rate of time and one-half (1-1/2x) regular pay for hours actually worked on the following holidays:

1. Memorial Day
2. Independence Day
3. Labor Day
4. Thanksgiving Day
5. Christmas Day
6. New Year's Day

An employee shall otherwise be paid regular pay at the straight-time rate for hours actually worked on all holidays, as provided in Section F., below.

F. WORK ON A HOLIDAY

Regardless of his/her work schedule, an employee required to work on a holiday listed in Section A., above, shall be paid at the employee's regular rate of pay for the hours actually worked. In addition, at the option of the University, an eligible full-time employee shall receive either eight (8) hours compensatory time off or eight (8) hours holiday pay at the regular straight time rate, including any shift differential, and an eligible part-time employee shall receive proportionate holiday pay up to a maximum of eight (8) hours per holiday.

G. MAJOR HOLIDAYS

Major holidays are defined as Thanksgiving Day, Christmas Day, and New Year's Day. The University will guarantee each member of the unit one (1) of the named major holidays off regardless of the date(s) on which the University celebrates those holidays. Holiday pay eligibility shall be determined by the official University holiday schedule.

In the event the University fails to provide an employee with one of the named major holidays off during a contract year, the University shall pay the employee at the rate of time and one-half (1-1/2x) for the third major holiday worked. This provision shall not apply if an employee volunteers to work a third named holiday within a contract year.

H. TEMPORARY LEAVE/LAYOFF

When an approved leave without pay or a temporary layoff does not exceed twenty (20) calendar days, including holidays, a full-time employee shall receive pay for any holiday which occurred during that period.

I. RELIGIOUS OBSERVANCE

In addition to the holidays listed above, an employee may observe a special or religious holiday, if the University determines that work schedules permit, by charging time off to accrued overtime, accrued vacation or leave without pay. Requests for such observation shall be granted on the basis of operational needs and requirements and shall not be denied unreasonably.

J. There shall be no duplication, pyramiding, or compounding of the Holiday Premiums with any other premium wage payments.

K. LAWRENCE BERKELEY NATIONAL LABORATORY

1. Policies, procedures, definitions and qualifications relative to holiday pay for new, rehired, or terminating full-time employees shall remain in effect for employees at the Laboratory and shall supersede the provisions of Section D., above, where in conflict.
2. The Administrative Holiday usually applied during the winter shut-down, may be used as a floating holiday. If an employee chooses a holiday other than the Administrative Holiday designated by the Lab, it will be necessary to use an additional day of vacation or unpaid leave of absence for the Administrative Holiday during the winter shutdown.