

**STATE OF OHIO**  
**ADJUTANT GENERAL'S DEPARTMENT**  
2825 West Dublin Granville Road  
Columbus, Ohio 43235-2789

**MEMORANDUM**

**TO:** SEE DISTRIBUTION

**FROM:** Gregory L. Wayt, Major General (Ohio),  The Adjutant General

**DATE:** March 7, 2009

**SUBJECT:** POLICY – State Employee Procedure Letter #26  
Holidays

**1. REFERENCE:**

- A. Exempt State Employees: Sections 124.18 and 124.19, Ohio Revised Code.
- B. Bargaining Unit State Employees except Firefighters: Article 26, OCSEA Labor Agreement.
- C. Bargaining Unit Firefighters: Appendix Q, Article 30.09, OCSEA Labor Agreement.

**2. SCOPE:** This letter applies to all state employees of this agency.

**3. HOLIDAYS:** The following are State Holidays: (Section 124.19 ORC)

New Year's Day - First day in January  
Martin Luther King Birthday - Third Monday in January  
President's Day - Third Monday in February  
Memorial Day - Last Monday in May  
Independence Day - Fourth day of July  
Labor Day - First Monday in September  
Columbus Day - Second Monday in October  
Veteran's Day - Eleventh day of November  
Thanksgiving Day - Fourth Thursday in November  
Christmas Day - Twenty-fifth day of December

**4. GENERAL RULES:**

- A. An employee whose salary or wage is paid in whole or part by the state shall be paid for the holidays declared in Section 124.19 of the Ohio Revised Code.
- B. Full-time employees, regardless of their work schedule, are entitled to 8 hours of holiday pay whether they work on the holiday or not. Part-time employees are entitled to holiday pay for that portion of the holiday they would have normally been scheduled to work.
- C. An appointment into the classified or unclassified service of the state shall not be made effective on a holiday unless the employee is scheduled to work on that day.
- D. When a holiday falls on a Sunday, the holiday is observed on the following Monday. When the holiday falls on a Saturday, the holiday is observed on the preceding Friday.
- E. An employee on vacation or sick leave during a holiday will not be charged vacation or sick leave for the holiday.
- F. Employees who are scheduled to work and call off sick the day of the holiday shall forfeit their right to holiday pay for that day.
- G. The holiday begins at 12:01 A.M. and ends at 12:00 o'clock midnight.

- H. An employee not in an active pay status for the entire scheduled work day immediately preceding the holiday shall not receive holiday compensation.
- I. Upon request, an employee may observe a religious holiday provided that the time off is charged to vacation, compensatory time, personal leave or leave without pay.
- J. An employee on an alternate work schedule is entitled to the same number of holidays and paid holiday hours as regularly scheduled employees.
- K. Collective Bargaining Employees: (See Article 26, OCSEA Labor Agreement)
  - 1. 5-Day Operations: Observe holiday on the day it actually occurs, except for the Monday/Friday rule stated previously. An employee whose scheduled day off falls on a holiday will receive 8 hours of holiday pay (straight time only) for that day.
  - 2. 7-Day Operations: Observe holiday on the day it actually occurs. Disregard the Monday/Friday rule stated previously. An employee whose scheduled day off falls on a holiday will receive 8 hours of holiday pay (straight time only) for that day.

L. Exempt Employees: (See Section 124.18 ORC)

- 1. Monday thru Friday Operations: Observe holiday on the day it actually occurs except for the Monday/Friday rule stated previously.
- 2. Other than Monday thru Friday Operations: Observe holiday on the day it actually occurs. An employee whose scheduled day off falls on a holiday will receive 8 hours of holiday pay (straight time only) for that day.

**5. Compensation:**

A. Bargaining Unit (except Firefighters) and Exempt Employees

- 1. An employee eligible for overtime compensation who is required to work on a day designated as a holiday shall be entitled to pay for such time worked at one and one-half times the base rate of pay in addition to holiday pay. The employee may elect to receive compensatory time in lieu of receiving compensation for time worked on the holiday.
- 2. When calculating overtime for a calendar week which includes a holiday, the automatic 8 hours of holiday pay is considered as time in an active pay status regardless of whether or not the employee worked on the holiday. Time actually worked on a holiday is not considered time in an active pay status for overtime calculations because separate compensation is already paid.

B. Bargaining Unit and Exempt Firefighters

- 1. Each full-time firefighter shall be eligible for Holiday Leave in lieu of paid holidays.
  - i. Thirty-six (36) hours of Holiday Leave bank shall be credited to each firefighter on the first day of January, April, July and October of each year.
  - ii. Holiday leave must be taken during the year it is accrued.
  - iii. Any leave remaining at the end of each year shall be lost to the firefighter.
  - iv. Each firefighter shall be eligible for a cash payment of up to fifty-two (52) hours of holiday leave consistent with sick and personal leave conversion in December of each year.
- 2. If a firefighter is removed, resigns or retires and has used credited holiday leave in an amount in excess of the amount that exceeds the prorated amount the employee

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would have earned during the period until their separation (5,538 hours for each full pay period worked), the employee shall have the amount determined to be in excel deducted from available vacation leave balances or deducted for their last pay check.

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