

### Holiday Pay Scenarios

1. Joe is a full-time custodian who works in the Adams Center. Joe is scheduled to work Monday through Friday, 6:00 pm to 3:00 am each day. November 11, 2008 is Veterans Day. Joe works 5 hours on the 10<sup>th</sup> and 3 hours on the 11<sup>th</sup>. All of his other hours during that week are normal and he has 40 hours of paid time during the week including the holiday hours. What is the breakdown of his hours for the week?  
Monday 6:00 pm to 3:00 am = 8 paid hours  
Tuesday Veterans Day holiday = 8 paid hours  
Wednesday 6:00 pm to 3:00 am = 8 paid hours  
Thursday 6:00 pm to 3:00 am = 8 paid hours  
Friday 6:00 pm to 3:00 am = 8 paid hours
2. Sarah, a student employee, is scheduled to work on Tuesday, November 11, 2008 in the Adams Center box office. She asks if she will receive additional holiday pay for working on the Veterans Day holiday. She also adds that she is a veteran, and wonders if she gets any extra compensation for the special status. What can you tell her?
3. Alice is an accountant in Business Services. She is on an approved maternity leave and has exhausted all of her accrued sick leave. She will be on a LWOP status from November 1<sup>st</sup> to November 30<sup>th</sup>. She believes that she should receive pay for the four holidays in the month of November. How do you respond?
4. Anita works four 10 hour days, Monday, Wednesday, Thursday and Friday, each week. Tuesday, Nov 4, 2008, is the Election Day holiday, a day which Anita does not regularly work. How will this calculate with her schedule? Same scenario: can Anita switch the Tuesday holiday (a day when she does not normally work) for Monday and take off on Monday instead?
5. Brenda works for University Dining Services as a prep cook. She has had some difficulty with her work situation and it is determined that she must be terminated. She is terminated with cause on December 24, 2008, the day before the Christmas holiday. Her manager calls HRS and wants to pay her for the two day Christmas holiday, December 24 and 25, and wants to verify that she can. What do you tell her?
6. A couple of nurses from the Curry Health Center are on the regular unpaid break that runs from December 19<sup>th</sup> to January 23<sup>rd</sup> (which coincides with the end and the beginning of the academic semesters). In February, they complain that they did not receive pay for the Christmas, New Years and Martin Luther King holidays. Are they entitled to these paid holidays?
7. Tabitha, a receptionist in HRS is about to leave HRS for other opportunities. She states that her last day of work will be November 28<sup>th</sup> final day of the Thanksgiving holiday. Will she receive holiday pay?
8. Ann Margaret will be starting a job in the Deans office on December 29, 2008. This is her first day of work and the day after the Christmas Holiday. Does she receive holiday pay for the Christmas holidays?
9. Mikel and Mandy Jo are a temporary employees in your office. Mikel is scheduled to regularly work Monday, Tuesday and half day on Wednesday each week (20 hours each week). The Veterans Day holiday is Tuesday. How will this calculate into her wages for that week? Mandy Jo works the second half of the week:

Wednesday afternoon, Thursday and Friday (20 hours each week). How will Veterans Day work into her wage calculation?

10. Francisco is a temporary employee with the Grounds Crew. He is scheduled to work Monday through Friday each week and works a varying number of hours each pay period. The Veterans Day holiday is on Tuesday. Will he receive holiday pay for that day? If he does receive holiday pay, how many hours of holiday pay will he receive?
11. Tim is a part-time permanent on-call technician with KUFM, he does not have a set schedule and is only called in when needed. He was called in to work varied hours the week of November 24 - 28. Thanksgiving was on the 27<sup>th</sup>, and he worked 5 hours on that day. Would he receive holiday pay, and if he does how would it be calculated?

***Please feel free to call Human Resource Services if you ever have a question on any matter related to the payment of wages.***

#### **Answers to Holiday Pay Scenarios**

1. According to the MPEA contract, vacation, sick leave and holiday hours count toward the calculation of overtime pay and anything over 8 hours is overtime. Also, holidays begin at mid-night. Joe has 8 hours of paid time for Monday, Wednesday, Thursday, and Friday. On Monday he has 5 hours of worked time, and on Tuesday he has 3 hours of worked time, plus 8 hours of holiday time on Tuesday. Since anything over 8 hours in a day is considered overtime he would have 3 hours of overtime pay. So Joe would have 29 hours of regular pay, 8 hours of holiday pay and 3 hours of overtime so he will be paid 37 hours at his regular rate and 3 hours at his overtime rate.
2. Student employees are not eligible for holiday pay. She would receive straight time for the scheduled work time. There is no extra compensation for actually being a veteran and working at the University of Montana. Students are only eligible for overtime compensation when they work over 40 hours in the work week which runs from Sunday through Saturday.
3. Alice is not eligible for payment for the four holidays in November unless she is on an approved FMLA leave. Under an FMLA leave an employee cannot have their employer benefits changed. A paid holiday is an employer benefit so she would receive the holidays based on her normal FTE.
4. Anita can observe the Election Day holiday on Monday. Since this is a regular 10 hour day for her she will either need to take two hours of annual leave, two hours of comp time accrued, or two hours of leave without pay to have the entire day off, or come in and work an actual 2 hours on that Monday. If it was necessary for business reasons for her to work on that Monday then another day could be established for her to have off in that same pay period. If a day could not be scheduled then she would have 48 total hours of straight time during that pay period. (2-18-603 M.C.A)
5. Brenda would be eligible for pay for the Christmas holiday. Any employee laid off or involuntarily terminated 5 calendar days or less before Christmas or New Year's shall be paid for that holiday. This applies to only these two holidays. This year Brenda would receive two days of holiday pay for the Christmas holiday.
6. These employees should have been paid for Christmas (2 days of holiday pay) and New Years holidays since these are covered by contract. They would not be compensated for the Martin Luther King holiday.

7. Tabitha will not receive holiday pay for Thanksgiving holiday. An employees' final date of employment cannot be set as a holiday.
8. Ann Margaret will not receive payment for the Christmas holiday. A newly hired employee who begins work on the day after a holiday is not entitled to holiday pay.
9. Temporary employees will be paid for the holiday if they are normally scheduled to work on that date. Since Veterans Day falls on Tuesday, Mikel would be eligible for holiday pay pro-rated by her FTE. Since she work 20 hours each week she would receive 4 hours for the holiday. If she wished to be paid her 20 hours for the week she would use 4 hours of annual leave or compensatory time for Tuesday or work a full day on Wednesday. Mandy Jo would not be eligible for holiday pay as she is not normally scheduled to work on Tuesday.
1. \*If Mikel and Mandy Jo were both permanent employees working the same schedule mentioned above they would both be entitled to holiday pay pro-rated by their FTE.
10. Francisco will receive holiday pay since he is normally scheduled to work on Tuesday. In order to calculate the number of hours that he should be paid for the holiday an analysis of his prior two pay periods must be made. Add the number of hours he worked in the prior two pay periods.  
Example: He was paid for 60 hours in the most recent pay period and for 45 hours in the period before that. Take the 105 hours divided by 20 (which is the number of days in the two pay periods combined) to come to 5.25 hours, which is what he should be paid for the Veterans Day holiday.
11. Tim is in a PERMANENT position, he is not a temporary employee. He is eligible for holiday pay if he works during the pay period which includes the holiday. Since his work schedule is on-call and he may not have any hours in the preceding two pay periods, his pro-ration for determining holiday hours is based on the hours worked in the current pay-period only. All hours worked on a holiday are paid at time and a half, except for those employees who are exempted from overtime they are eligible for additional time at straight time.