

M E M O R A N D U M

TO: PERSONNEL MANAGEMENT LIAISONS **DATE:** August 19, 2002
REFERENCE CODE: 2002-048

THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:

Personnel Officers
Personnel Transactions Supervisors

FROM: Department of Personnel Administration
Classification and Compensation Division

SUBJECT: Holiday and Overtime Compensation - Bargaining Units 1, 3, 4, 11,
15, and Employees Excluded from Collective Bargaining

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This memorandum provides the method for calculating holiday compensation in conjunction with overtime for employees covered under the Fair Labor Standards Act (FLSA) who are in Bargaining Units 1, 3, 4, 11, and 15. In addition, all employees in classifications excluded from collective bargaining who are affiliated with these bargaining units are subject to the same method of calculation.

Article 7(F) of the Master Table Agreement provides a permanent full-time employee up to eight hours of holiday credit for all observed holidays that fall on the employee's regularly scheduled day off. However, if the employee is required to work on an observed holiday, the employee shall be compensated at a premium rate. The premium rate of compensation shall be at the State's discretion in the form of holiday credit, cash, or compensating time off.

The same provisions for holiday compensation have been approved for excluded (from collective bargaining) employees who are affiliated with Bargaining Units 1, 3, 4, 11, and 15.

Article 19.2(A) of the Master Table Agreement provides overtime compensation at the rate of one and one-half times the employee's hourly rate of pay for all hours worked in excess of 40 hours.

PML 2002-048
August 19, 2002
Page 2

The compensation shall be at the State's discretion in the form of cash or compensating time off.

Employees who are excluded from collective bargaining but covered by the provisions of the FLSA are also required to receive overtime compensation at one and one-half times their regular rate of pay for all hours worked in excess of 40 hours. These provisions are applied the same for all FLSA-covered employees.

In order to assist departmental personnel offices in processing holiday and overtime compensation, the following attachment provides examples clarifying bargaining unit language and the method for calculating holiday compensation in conjunction with overtime.

If your personnel office staff have questions regarding holidays or overtime compensation provisions, they may contact Clarice Pace at the above telephone number. Individual employee questions should be directed to the department's personnel office.



Michael T. Navarro, Chief
Classification and Compensation Division

Attachment

HOLIDAY AND OVERTIME COMPENSATION FOR EMPLOYEES IN BARGAINING UNITS 1, 3, 4, 11, 15, AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING

1. Holiday falls on a regularly scheduled day of work, employee does not work.

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat
RDO	W-0	W-8	W-8	W-8	W-8	RDO
<u>Holiday compensation:</u> 8 hours in regular pay warrant						
Total Compensation <u>over</u> regular pay warrant = 0						

2. Holiday falls on a regularly scheduled day of work, employee is required to work.

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat
W-8	W-8	W-8	W-8	W-8	RDO	RDO
<u>Holiday compensation:</u> 8 hours in regular pay warrant <u>plus</u> 8 hours at 1.5 x hourly rate = 12 hours						
Total Compensation <u>over</u> regular pay warrant = 12 hours						

3. Holiday falls on a regularly scheduled day off (RDO).

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat
RDO	RDO	W-8	W-8	W-8	W-8	W-8
<u>Holiday compensation:</u> 8 hours holiday credit*						
Total Compensation <u>over</u> regular pay warrant = 8 hours						

4. Holiday falls on a RDO, and employee is required to work.

Sun	Mon	Tues	Weds	Thurs	Fri	Sat/Holiday
RDO	W-8	W-8	W-8	W-8	W-8	RDO/W-8
<u>Holiday compensation:</u> 8 hours holiday credit*, <u>plus</u> 8 hours at 1.5 x hourly rate = 12 hours. <u>Overtime Compensation:</u> 8 hours in excess of 40 hour work week at 1.5 x hourly rate = 12 hours. Total = 32 hours.						
Total Compensation <u>over</u> regular pay warrant = 32 hours						

* Holidays can be compensated in Holiday Credit, Cash, or Compensating Time Off (CTO).

HOLIDAY AND OVERTIME COMPENSATION FOR EMPLOYEES IN BARGAINING UNITS 1, 3, 4, 11, 15, AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING

5. Holiday falls on a regularly scheduled day of work. Employee does not work on the holiday but works in excess of the 40 hour work week.

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat	
RDO	W-0	W-8	W-8	W-8	W-8	RDO/W-8	
<u>Holiday compensation:</u> 8 hours in regular pay warrant.						<u>Overtime Compensation:</u> 8 hours (in excess of 40 hour work week) at 1.5 x hourly rate = 12 hours.	
Total Compensation <u>over</u> regular pay warrant = 12 hours							

6. Holiday falls on a regularly scheduled day of work. Employee is required to work on the holiday and also works in excess of the 40 hour work week.

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat	
W-8	W-8	W-8	W-8	W-16	RDO	RDO	
<u>Holiday compensation:</u> 8 hours in regular pay warrant. 8 hours at 1.5 x hourly rate = 12 hours						<u>Overtime Compensation:</u> 8 hours (in excess of 40 hour work week) at 1.5 x hourly rate = 12 hours.	
Total Compensation <u>over</u> regular pay warrant = 24 hours							

7. Holiday falls on a RDO. Employee does not work on the holiday, but is required to work in excess of the 40 hour work week.

Example A:

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat	
RDO	RDO	W-8	W-12	W-10	W-8	W-8	
<u>Holiday compensation:</u> 8 hours holiday credit*						<u>Overtime Compensation:</u> 6 hours (in excess of 40 hour work week) at 1.5 x hourly rate = 9 hours.	
Total Compensation <u>over</u> regular pay warrant = 17 hours							

* Holidays can be compensated in Holiday Credit, Cash, or Compensating Time Off (CTO).

HOLIDAY AND OVERTIME COMPENSATION FOR EMPLOYEES IN BARGAINING UNITS 1, 3, 4, 11, 15, AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING

Example B:

Sun	Mon	Tues	Weds	Thurs	Fri	Sat/Holiday
RDO	W-10	W-10	W-10	W-10	RDO/W-8	RDO
					<u>Overtime Compensation:</u> 8 hours (in excess of 40 hour work week) at 1.5 x hourly rate = 12 hours.	<u>Holiday compensation:</u> 8 hours holiday credit*
Total Compensation <u>over</u> regular pay warrant = 20 hours						

8. Holiday falls on a RDO and the employee is required to work. The employee also works in excess of the 40 hour work week.

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat
RDO	RDO/W-8	W-8	W-8	W-8	W-8	W-8
<u>Holiday compensation:</u> 8 hours holiday credit* <u>plus</u> 8 hours at 1.5 x hourly rate = 12 hours. Total = 20 hours					<u>Overtime Compensation:</u> 8 hours (in excess of 40 hour work week) at 1.5 x hourly rate = 12 hours.	
Total Compensation <u>over</u> regular pay warrant = 32 hours						

9. Holiday falls on a regularly scheduled day of work. Employee is required to work 6 hours on the holiday.

Sun	Mon/Holiday	Tues	Weds	Thurs	Fri	Sat
RDO	W-6	W-8	W-8	W-8	W-8	RDO
<u>Holiday compensation:</u> 8 hours in regular pay warrant, <u>plus</u> 6 hours at 1.5 x hourly rate = 9 hours.						
Total Compensation <u>over</u> regular pay warrant = 9 hours						

* Holidays can be compensated in Holiday Credit, Cash, or Compensating Time Off (CTO).

HOLIDAY AND OVERTIME COMPENSATION FOR EMPLOYEES IN BARGAINING UNITS 1, 3, 4, 11, 15, AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING

10. Holiday falls on a regularly scheduled day of work. Employee is required to work 12 hours on that day.

Sun	Mon	Tues	Weds	Thurs	Fri	Sat/Holiday
RDO	RDO	W-8	W-8	W-8	W-8	W-12 <u>Holiday compensation:</u> 8 hours in regular pay warrant, <u>plus</u> 12 hours at 1.5 x hourly rate = 18 hours. <u>Overtime Compensation:</u> 4 hours in excess of 40 hour work week at 1.5 x hourly rate = 6 hours
Total Compensation <u>over</u> regular pay warrant = 24 hours						