

State of California

MEMORANDUM

Date: November 1, 1990
Reference Code: MM 90-60
Effective Date: December 1, 1990
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Date of Issue: December 1, 1990

To: PERSONNEL MANAGEMENT LIAISONS

THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:

Personnel Officers
Employee Relations Officers

Subject: Clarification and Correction to Management Memo 88-33, Holiday Compensation - Bargaining Unit 04, Office and Allied

This Memo supercedes Management Memo 88-33 dated December 27, 1988.

In December of 1988 Management Memo 88-33 was issued to clarify Article 7(1) and 7(j) of the agreement between the State of California and the California State Employees' Association (CSEA) covering Office and Allied employees in Bargaining Unit 04.

Management Memo 88-33 has six (6) examples of employees working on a holiday (both regular shift and irregular shift schedules). Recently it was discovered that there are arithmetic computation errors in two (2) of the examples.

EXAMPLE #2 - Holiday pay for regular shift employees.

This example in Management Memo 88-33 indicates total compensation of 64 hours for the 48 hours worked.

The correct figure should be 60 hours NOT 64 hours.

<u>RDO</u>						<u>RDO</u>
SU	M	TU	W	TH	F	SA
OFF	W	W	W	W	W	OFF
					(H)	

OFF W/8 W/8 W/8 W/8 W/8 W/8 (48 Hours Worked)

Employee worked a total of 48 hours and is compensated for 60 hours; 40 hours straight time, 8 hours holiday credit and 8 hours of overtime at 1-1/2 times (12 hours).

EXAMPLE #4 - Holiday pay for irregular shift employees.

This example in Management Memo 88-33 indicates total compensation of 49 hours for the 38 hours worked.

The correct figure should be 46 hours NOT 49 hours.

<u>RDO</u>	<u>RDO</u>					<u>RDO</u>
SU	M	TU	W	TH	F	SA
OFF	OFF	W	W	W	W	OFF
					(H)	
OFF	OFF	W/10	W/10	W/10	W/8	OFF (38 Hours Worked)

Employee worked a total of 38 hours and is compensated for 46 hours; 38 hours straight time and 8 hours holiday credit.

In this example, the employee is working a 4-10-40 schedule with Sat.-Sun.-Mon. as the regular days off. The employee was "scheduled" to work 10 hours on Friday (the holiday) but only worked 8 hours. Therefore, the employee is two hours short of the required 40 hours to qualify for premium pay on the holiday.

While current contract language may not be specific, all bargaining unit employees, unless specifically stated, must meet the provisions of their assigned work week group definition before an overtime situation can be present. Currently, all bargaining unit employees and nonrepresented employees have a basic work week with a minimum of 40 hours (Section 19851 of the Government Code).

The effective date of this memo shall be December 1, 1990. Any over payments that may have been made because of the directions given in Management Memo 88-33 will be forgiven and not recovered as overpayments. All of the other examples in Management Memo 88-33 are arithmetically correct and remain in effect.

If you have any questions regarding the subject of overtime in conjunction with work on a holiday, please call Clarice Pace at 324-9381, ATSS 454-9381.

Robert K. Painter
Section Manager