Administrative Policies and Procedures
Manual - Policy 3405: Holidays

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1. General

The University of New Mexico observes specific holidays each year and most offices are closed during these holidays. This policy describes which holidays are observed, which staff employees are eligible for holiday pay, calculation of holiday pay, and compensation to staff employees who must work on a holiday. Faculty should refer to the Faculty Handbook for applicable holiday policies and procedures. Although the University does not grant holiday pay for religious holidays, an employee who requests time off to observe a religious holiday generally must be allowed to do so by taking annual leave or leave without pay; for more information, see Section 7.1 of UAP 2720 (“Prohibited Discrimination”).

2. Holidays Observed

The following holidays are observed by the University:

- Martin Luther King Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Winter break. (The specific days observed as the holiday period are announced each year by the University Division of Human Resources, after approval by the University President, and extend over a minimum of seven (7) UNM business days. Employees required to work on weekend days that fall during or adjacent to winter break are eligible
The University President has the discretion to grant additional holiday days for the University.

2.1. Holidays Falling on a Weekend

The holiday is usually observed on the calendar day designated as the holiday. When a holiday falls on a Saturday, the holiday will be observed on the preceding Friday. When a holiday falls on a Sunday, the holiday will be observed on the following Monday.

2.2. Shift Assignment

For employees working a shift assignment where midnight falls within their shift, the observed holiday begins with the starting time of the employee's regular shift on the calendar day observed as the holiday.

2.3. Holiday Observed on Employee's Day Off

When a holiday falls on an employee's regular day off, the holiday is normally granted on the work day immediately preceding or following the employee's regular day off. The holiday may be granted, by mutual agreement between the employee and his or her supervisor, at another time within ninety (90) days.

2.4. Off Campus Employment Alternate Holiday Schedule

Some units within the University, including units that are affiliated with outside organizations, may observe different holidays. Employees who work off campus at an organization that observes different holidays than those observed by the University may be. These units are authorized to observe the alternative holidays that are applicable to that organization, provided that the applicable dean or director obtains written approval from the UNM Vice President for Human Resources and provides at least thirty (30) days written approval notice to affected employees or, preferably, written notice at the time of hire. In no case will observation of all holidays applicable to both organizations be permitted, nor will these units be allowed to exceed what is the number of holidays observed by the University in a given calendar year.

3. Employees Eligible for Holiday Pay

Only regular full-time or part-time employees, working twenty (20) or more hours per week, are eligible to be paid for holiday time off. Temporary and on-call employees are not eligible to receive pay for holiday time off, and neither are part-time employees working less than twenty (20) hours per week. Employees must either work or be on paid leave on scheduled work days before and after the holiday in order to be eligible for holiday pay.
Employees whose retirement date is on a holiday do not have to work or be on leave the day after the holiday in order to receive pay for holiday time off.

4. Holiday Compensation

Holiday pay for non-exempt staff employees working a traditional full-time forty (40) hour work week Monday – Friday schedule is calculated based on their regularly scheduled hours. In any month containing holidays, exempt staff employees will receive their normal pay, while and should managing their time appropriately to ensure completion of all assigned duties. If an employee works an alternative work week and is off on a scheduled holiday, refer to Section 2.3.

If the employees is are scheduled to work any other schedule (such as part-time or, flex, etc.), the employees will be paid for the number of hours obtained by dividing their normal number of scheduled weekly work hours by five (5) days for each observed holiday. For example, an employee who normally works thirty (30) hours per week would receive six (6) hours of holiday pay, or thirty (30) hours divided by five (5) days which equals six (6) hours. Employees may choose to take annual leave or work additional hours within the work week to ensure they are paid for their regular work schedule during a week with a holiday. At no time will non-exempt employees receive greater than eight (8) hours of holiday pay, regardless of schedule. In any month containing holidays, exempt staff will receive their normal pay, while managing their time appropriately to ensure completion of all assigned duties. If an employee is off on a scheduled holiday refer to Section 2.3. herein. In addition, holiday pay may not exceed forty (40) hours within a work week (such as during winter break).

4.1. Employees Required to Work on a Holiday

Organizations or departments such as, but not limited to, law enforcement, patient care facilities, libraries, and plant maintenance, due to the nature of their operation, may regularly require employees to work on holidays. Each employee affected should be advised that this alternate holiday schedule is a condition of employment. However, to meet operational needs, an employee may be required to work a holiday without such notice and approval. In these situations, supervisors should give employees as much notice as possible.

Supervisors will assign employees to work holidays in a fair and reasonable manner, taking into consideration the needs of the unit, and the abilities, availability, and willingness of employees. An employee who refuses to work a holiday may be subject to disciplinary action. Employees who work holidays are compensated at premium rate for time worked in accordance with Sections 4.1.1. and 4.1.2. herein.

4.1.1. Nonexempt Employees

Nonexempt employees who are required to work on a holiday will be paid for the hours worked at a premium rate of one and a half (1 1/2) times their regular rate (base pay plus shift differential, if applicable), and will also be given time off in lieu of the holiday. The time off given in lieu of the holiday will be in accordance with Section 4. herein and must be granted within ninety (90) days of the time earned.
If a nonexempt employee does not take the time off during this time period, or separates from the University before the time off is taken, the employee will be paid for all unused holiday leave at straight time. Employees required to work on a holiday, who cannot be given a day off in lieu of the holiday, will be paid the premium rate (one and a half times their base pay plus shift differential, if applicable) for the hours worked on the holiday. In addition, they will receive holiday pay at their regular rate of pay in accordance with Section 4 herein. Nonexempt employees who separate from the University will be paid for all unused holiday leave at straight time.

4.1.2. **Exempt Employees**

In most instances, exempt employees will not be required to work on a holiday. Exempt employees who are required to work on a holiday will be paid their regular salary and given another day off.

4.2. **Overtime**

For the purpose of computing overtime compensation for over forty (40) hours per week, a paid holiday is considered time worked. Time off in lieu of the holiday is also considered time worked.

4.3. **Ineligible Employees**

Employees not eligible for holiday pay (see Section 3 herein), who are required to work on a holiday, will be paid at the straight-time rate for the hours worked on the holiday.

4.4. **Leave Without Pay**

Employees on leave without pay will not be paid for holidays which fall during the period of leave without pay.