

**Chapter: Leave Benefits**  
**Title: Holiday Leave**

**Effective Date: 12/1/11**  
**Page: 1 of 2**  
**New**

**ACA Standard(s):** N/A  
**Statutes:** Gov't Code Chapter 662, Subchapters A and B

---

(a) **Policy.**

The Texas Juvenile Justice Department (TJJD) grants employees time off with pay for national and state holidays in accordance with state law.

(b) **Resources.**

- (1) **List of Holidays for State Employees.** The State Auditor's Office develops a list that identifies the national and state holidays for each fiscal year. The list is available from the TJJD Internet website on the Employment page. The list may also be obtained from the local human resources office.
- (2) **PRS.11.01, Exit Process.** This policy contains the procedures relating to the status of accrued leave balances, including holiday leave balances, upon an employee's separation from employment.

(c) **General Provisions.**

- (1) Employees may be granted time off for the following types of holidays identified on the list of holidays for state employees:
  - (A) national holidays;
  - (B) state holidays, some of which require a "skeleton crew" for administrative offices; and
  - (C) optional holidays.
- (2) In accordance with state law, the agency does not observe holidays that fall on a Saturday or Sunday. This means that no employee receives holiday time off or accrues holiday leave for the holiday.
- (3) Holiday leave is accrued at a rate of one hour for each hour worked on an observed national or state holiday, up to eight hours.
- (4) Accrued holiday leave must be taken within the 12 months following the holiday or it will lapse. Employees will not be paid for accrued holiday leave.

(d) **"Skeleton Crew" Holidays.**

A "skeleton crew" holiday is an observed state holiday on which administrative offices must remain open with enough employees on duty to conduct the public business of the agency. This includes any observed state holiday except for the Friday after Thanksgiving Day, December 24, or December 26.

(e) **Optional Holidays.**

- (1) An "optional holiday" includes the following holidays:
  - (A) Rosh Hashanah;
  - (B) Yom Kippur;
  - (C) Good Friday; and
  - (D) Cesar Chavez Day.
- (2) An employee is entitled to a paid day off for an optional holiday if:
  - (A) the holiday falls on a weekday;

- (B) the employee is a state employee on the workday before and the workday after the holiday; and
- (C) he/she agrees in writing (e.g., via email or memo) to work, during the same fiscal year, on one of the following "skeleton crew" state holidays that falls on a weekday:
  - (i) Confederate Heroes Day (January 19);
  - (ii) Texas Independence Day (March 2);
  - (iii) San Jacinto Day (April 21);
  - (iv) Emancipation Day (June 19); or
  - (v) LBJ's Birthday (August 27).

**(f) Entitlement to Paid Day Off for Observed National and State Holidays.**

- (1) An employee who does not work on a holiday that is his/her regularly scheduled workday is entitled to a paid day off on the holiday if:
  - (A) the employee is a state employee who is not in an unpaid status on the workday before the holiday and the workday after the holiday; or
  - (B) the holiday falls on an employee's first day of employment; or
  - (C) the employee is separating employment and the holiday falls on his/her last duty day.
- (2) If the holiday falls on the employee's regularly scheduled day off and he/she would have been eligible for the day off if he/she had been working a Monday through Friday schedule, the employee will accrue holiday leave for the holiday.
- (3) If an employee works on the holiday, he/she will receive up to eight (8) hours of holiday leave for the time worked.
- (4) If an employee is absent from work on a holiday for which he/she was scheduled to work, the absence will count as holiday leave taken.
- (5) If a holiday occurs while an employee is in a paid sick or personal leave status, the scheduled day off will count as holiday leave taken.
- (6) A part-time employee receives holiday leave prorated to the hours worked (e.g., an employee working 20 hours per week is paid four (4) hours of holiday time or receives 4 hours of holiday leave if he/she works on an observed holiday).

**(g) Compensatory Time for Peace Officers.**

In accordance with state law, a peace officer commissioned by TJJJD will receive compensatory leave time if the officer is required to work on a national or state holiday that falls on a Saturday or Sunday and:

- (1) he/she was a state employee on the workday before the holiday and the workday after the holiday; or
  - (2) the holiday falls on his/her first or last workday of the month.
- 
-