



HLC Accreditation Evidence Document

Title: UAPPM Policy 3405: Holidays

Office of Origin: University Administrative Policies and Procedures Manual

Description: The official university policy on annual holidays, as it is found in the UAPPM. This includes a note of the addition of Indigenous Peoples Day as an observed university holiday as of 2018.

Date: 2018



University Administrative Policies

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Administrative Policies and Procedures Manual - Policy 3405: Holidays

Date Originally Issued: 07-01-1988

Revised: 11-01-1991, 01-01-1997, 03-21-1997, 07-01-2003, 06-27-2016, 01-04-2018, 04-04-2018

Process Owner: University President and Vice President for Human Resources

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 [UAP 2720 \("Prohibited Discrimination and Equal Opportunity"\)](#).

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 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 for holiday compensation as described in Section 4.1 below.)

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. Alternate Holiday Schedule

Some units within the University, including units that are affiliated with outside organizations, may observe different holidays. These units are authorized to observe alternative holidays, 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 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 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 nonexempt employees working a traditional full-time forty (40) hour work week is based on their regularly scheduled hours. In any month containing holidays, exempt employees will receive their normal pay and should manage 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 employees are scheduled to work any other schedule (such as part-time or flex), 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 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.

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 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. Nonexempt 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 [1 1/2] 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.

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. Supervisors may allow exempt employees paid time off when they are required to be "on-call" during a holiday; any time off under these circumstances shall be determined mutually by the supervisor and employee (see [UAP 3310 \("Compensatory Time"\)](#), Section 3).

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), 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 that fall during the period of leave without pay.

5. Other Recognized Days

In addition to the holidays observed each year by the University during which most offices are closed, the University recognizes other days as significant although the University remains open when it commemorates them. The University recognizes these other days due to federal law requirements or through Regents' proclamation. The other recognized days include:

5.1. Constitution Day

Constitution Day is observed each year on September 17 to commemorate the signing of the United States Constitution on September 17, 1787. As an educational institution that receives federal funds, UNM is required to hold an educational program for students on September 17 with the goal of promoting a better understanding of the Constitution.

5.2. Indigenous Peoples' Day

Indigenous Peoples' Day is commemorated on the second Monday in October. Notably, the University is one of the few flagship universities with a long history of enrolling, educating, and employing Indigenous Peoples. The purpose of Indigenous Peoples' Day is:

- To bring an awareness of the ongoing struggles of Indigenous Peoples;
- To honor all that Indigenous Peoples bring to the State and University through their culture, language, arts, knowledge, and values; and
- To recognize that the University's campuses are on the ancestral land of Indigenous Peoples.