

## PERSONNEL SERVICES BULLETINS (PSBs)

### 440-2R

**Subject:** Observance of Public Holidays

**Supersedes:** Personnel Services Bulletin No. 440-2

**Source:** 1990-1992 Citywide Agreement, as amended by the 1995 Municipal Coalition Memorandum of Economic Agreement; Public Officers Law, Section 63

**Date:** June 30, 1997

### Policy

A. The following are the eleven regular paid holidays observed by the City:

<b>Holiday</b>	<b>Date Observed</b>
New Year's Day	January 1
Martin Luther King, Jr.'s Birthday	Third Monday in January
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Election Day	The Tuesday following the first Monday in November
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. However, when an agency head deems it necessary to keep facilities open on both Monday and Friday, employees may be scheduled to take time off on either the Monday or Friday. Pursuant to the Citywide Agreement, when either the holiday, or the day designated for observance, occurs on an employee's scheduled day off, and the employee does not work on such day, the employee shall be entitled to one compensatory day off in lieu of the holiday.

B. Employees who are covered by the Citywide Agreement, serving in original jurisdiction positions, or covered by the "Leave Regulations for Management Employees" are entitled to one floating holiday in each calendar year during which the employee is in active pay status with the employer prior to Lincoln's Birthday of such calendar year, subject to the following conditions:

1. The floating holiday shall be taken at the employee's discretion, subject to the needs of the employing agency. Employees must request to use the floating holiday in writing at least 30 days in advance on a form supplied by the agency. Approval or disapproval of the request shall be made on the same form by a supervisor authorized to do so by the agency. Decisions shall be made within ten working days of submission.
2. Employees wishing to use their floating holiday to observe Lincoln's Birthday shall file such requests prior to January 15. Approval shall not be unreasonably denied. The day of observance for employees of Mayoral agencies assigned to Board of Education facilities shall be on the day set by the Board.
3. Once a floating holiday request has been approved, the approval may not be rescinded except in writing by the agency head or the Chief of Personnel in the Police Department, as applicable. If an employee who is covered by the Citywide Agreement, or serving in an original

jurisdiction position, is required to work on a floating holiday once the request for it has been approved, the employee shall receive a fifty percent cash premium for all regularly scheduled hours worked on the floating holiday and shall, in addition, receive compensatory time off at the employee's regular rate of pay. If an employee who is covered by the "Leave Regulations for Management Employees" is required to work on the floating holiday once the request for it has been approved, the employee's new request to use the floating holiday must be made at least five working days in advance, and approval shall not be unreasonably denied.

4. The floating holiday must be used in the calendar year in which it is earned and may not be carried over to a succeeding year or cashed out upon separation of service. If the agency head calls upon an employee not to take the floating holiday by the end of the calendar year, the floating holiday shall be carried over to the following calendar year only.

5. For employees assigned to perform work at facilities which are normally closed on Lincoln's Birthday, Lincoln's Birthday shall continue to be observed on February 12 as a regular holiday. Floating holiday provisions do not apply under these circumstances.

C. Employees in certain titles covered by the Citywide Agreement do not receive all of the holidays stated above. Agencies should check the applicable collective bargaining unit agreement for information.

D. Subject to the provisions of the Public Officers Law, Section 63, veterans are entitled to leaves of absence with pay for Memorial Day and Veterans Day.

E. Please note that employees who are in the uniformed forces or in prevailing rate titles are not covered by the Citywide Agreement. Information on holidays for employees in prevailing rate titles is contained in the applicable Comptroller's Determination or other authorizing document.

William J. Diamond  
Commissioner