LWOP and UT Holidays

General Rule
An employee must be on the payroll the day before and the day after a UT holiday in order to be paid for that holiday.

“On the payroll” means not on LWOP. In other words, physically working OR using appropriate leave:
- Vacation, Comp, or OT
- Sick Leave, if absent for medical reasons
- Scheduled 11-Month Time Off

This rule applies to all benefits-eligible staff.

Holidays at the end of a month
If the holiday falls on the last week day of the month, employees only need to be on the payroll on the day before the holiday.

Holidays at the beginning of a month
If the holiday falls on the first week day of a month, employees only need to be on the payroll on the day after the holiday to receive holiday pay.

Each month’s leave accruals are not available until the employee has worked in that month. Use balances from the end of the prior month to determine if an employee has sufficient leave to be on the payroll the day after the holiday.

Winter Break (holiday spanning two months)
Often the winter break will begin in December and end in January. To receive payment for the full holiday, the general rule applies.

However, employees who cannot be on the payroll both before and after may qualify for part of the holiday:
- If the employee is on the payroll the day before the holiday, they will receive payment for December holiday dates.
- If the employee is on the payroll the day after the holiday, they will receive payment for January holiday dates.

If the last week day of the winter break is in December, the end of the month rule applies. Employees only need to be on the payroll the day before the holiday to receive full holiday pay.

Units closed longer than the UT Holiday
LWOP is only an option after all appropriate leave has been used.

Employees with low balances may not “save” their leave time for the day before the holiday and go on LWOP for the first days the unit is closed.

These employees could be on LWOP for part of the time their unit is closed, and then work on the days before and after the holiday to receive holiday pay. This scenario benefits the employee and is acceptable from a payroll perspective. Managers have the authority to determine if it would also suit business needs.

Partial days on the payroll
Only a full day of LWOP will disqualify the employee for holiday pay.

If an employee can work a partial day, or has a partial day’s worth of leave, it counts as being on the payroll for that day.

What constitutes a partial day on the payroll? Any amount of paid leave will suffice. For work time, DHFS HR/Payroll recommends that the employee be scheduled for at least a 3-hr shift.

Employees working different schedules (not M-F)
Employees who work other than Monday through Friday schedules still receive the same number of holiday hours as everyone else.

If these employees are not usually scheduled for the critical day before/day after, they will not necessarily lose holiday pay.
Any of these scenarios will ensure they receive holiday pay:

1. Employee’s schedule is adjusted to M-F for the week(s), and employee works or uses leave on the days before and after the holiday.
2. Employee works sufficient hours during the week that, when added to the holiday hours, they have a full week’s hours in total.
3. Employee uses sufficient leave in addition to the holiday hours to equal a full week.

11-Month Food Service employees
When these employees are scheduled for unpaid weeks off before or after the holiday, they do not lose holiday pay.

The type of leave we call “11-Month Time Off” is not the same as typical LWOP (which would be the result of running out of paid leave). Because they are not on official LWOP, they are still considered to be on the payroll.

If the scheduled unpaid time off occurs during different weeks of the year, they would need to work or use leave the days before and after the holiday.

Probationary employees
Employees who have not satisfied the 6-month waiting period are not eligible to use vacation. They can use comp time and banked overtime.

To receive holiday pay, these employees need to work the day before and the day after the holiday, or have sufficient comp and OT to remain on the payroll those days.

When business needs allow, managers should make an effort to schedule probationary employees such that they do not lose holiday pay.