

31.04.01 System Holidays

Revised [April 25, 2023](#)

Next Scheduled Review: April 25, 2028

Click to view [Revision History](#).



Regulation Summary

Each member of The Texas A&M University System (system) provides paid holidays to eligible employees in accordance with state law and based on the member's fiscal year holiday schedule approved by the Board of Regents (board).

Definitions

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Regulation

1. ELIGIBILITY

- 1.1 An employee listed in the position identification database in a budgeted position for 50 percent or more time for a period of at least four and one-half months, excluding an employee in a position for which student status is a requirement for employment, is entitled to holiday pay for scheduled holidays.
- 1.2 An eligible part-time employee receives holiday pay and holiday compensatory time on a proportionate basis.
- 1.3 In this section, workday means a day on which an employee is normally scheduled to work. An employee who is on leave without pay for the entire workday immediately before or after a scheduled holiday is not considered an employee for purposes of this section. An employee who is working or in a paid leave status for at least part of the workday immediately before or after a scheduled holiday is considered to be an employee for purposes of this section. To be paid for a scheduled holiday, an individual must be an employee:
 - (a) on the workday immediately before and after a scheduled holiday that falls midmonth (other than the first or last workday of the month);
 - (b) on the workday immediately after a scheduled holiday if the scheduled holiday falls on the first workday of a month; or

- (c) on the workday immediately before a scheduled holiday if the scheduled holiday falls on the last workday of a month.

See the **Appendix** for examples.

2. SCHEDULED HOLIDAYS FOR EMPLOYEES WORKING NON-TRADITIONAL SCHEDULES

An employee who works 40 hours a week on a schedule other than Monday through Friday is entitled to paid holiday time off during the fiscal year equal to eight hours multiplied by the number of scheduled holidays in the fiscal year. An employee who works a non-traditional schedule who works less than the entire fiscal year is entitled to paid holiday time off during the fiscal year equal to eight hours multiplied by the number of scheduled holidays that occur during the time period worked by the employee. Paid holiday time off for a part-time employee who works on a schedule other than Monday through Friday is proportionate to the number of hours the employee normally works.

3. WORKING ON A SCHEDULED HOLIDAY

- 3.1 Supervisors ensure that sufficient staff are available to work, as a condition of their employment, on some or all scheduled holidays, if needed. The supervisor must approve scheduling in advance of work on a scheduled holiday.
- 3.2 An employee required to work on a scheduled holiday is entitled to compensatory time, for the amount of time worked on an hour-for-hour basis, to use during the 12 months after the scheduled holiday. When allowing compensatory time off would disrupt normal teaching, research or other critical functions, the member may elect to pay the employee for the compensatory time.

4. RELIGIOUS HOLY DAYS

- 4.1 An employee may use accrued vacation or compensatory time to observe Rosh Hashanah, Yom Kippur, Good Friday or any other holy day.
- 4.2 A member of the teaching faculty may not be discriminated against or penalized in any way if absent from work for the observance of a religious holy day if (1) the faculty member has given proper notice, and (2) the institution permits general personal absence by members of the faculty. If personal absence is customarily charged to leave or leave without pay, the absence is treated as leave or leave without pay.
 - 4.2.1 A "religious holy day" means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20 of the Texas Tax Code.
 - 4.2.2 Giving "proper notice" means providing a listing of religious holy days to be observed during the semester to the department head and providing notice of such days in advance to all students whose classes would be canceled due to the faculty member's absence. The notice to the department must be in writing and personally delivered to the department head with receipt of the notification acknowledged and dated.

5. EMPLOYEE TRANSFER, SEPARATION OR DEATH

- 5.1 If a state or national holiday occurs between the dates that an employee separates from one state agency and begins employment with a member without a break in service, the member to which the employee transfers is responsible for paying the employee for the holiday regardless of whether the member that receives the new employee recognizes the holiday as a scheduled holiday.
- 5.2 Refer to System Regulation *31.03.01, Vacation*, regarding the computation of total accumulated leave and holiday time for an eligible employee upon death or separation from state employment.
- 5.3 Refer to System Regulation *31.03.02, Sick Leave*, regarding the computation of total accumulated sick leave and holiday time for an eligible employee upon death.

Related Statutes, Policies, or Requirements

Tex. Educ. Code § [51.925](#)

[Tex. Gov't Code Ch. 662](#)

[System Regulation 31.01.09, Overtime](#)

[System Regulation 31.03.01, Vacation](#)

[System Regulation 31.03.02, Sick Leave](#)

Appendix

Employees earn the same number of holidays during the course of the year regardless of the employee's scheduled workdays.

Example 1: If the scheduled holiday falls midmonth (after the first workday of the month and before the last workday of the month), an employee must be in a paid status at least part of the employee's last regularly scheduled workday immediately before the scheduled holiday and at least part of the employee's first regularly scheduled workday immediately after the scheduled holiday to receive holiday pay. For example, if Independence Day is a scheduled holiday, an employee is paid for the scheduled holiday if the employee is in a paid status on the first workday before and the first workday after Independence Day.

Example 2: If the scheduled holiday falls on the day that would have been the first workday of the month, an employee must be in a paid status at least part of the employee's first regularly scheduled workday immediately after the scheduled holiday to receive holiday pay. For example, if January 1st is a scheduled holiday, an employee is paid for the scheduled holiday if the employee is in a paid status on the first workday after January 1st.

Example 3: If a scheduled holiday falls on the day that would have been the last workday of the month, an employee must be in a paid status at least part of the employee's last regularly scheduled workday immediately before the scheduled holiday to receive holiday pay. For example, for the winter holiday, which typically begins in December and lasts into January, an employee is paid for the December portion of the holiday period if the employee is in a paid status on the last workday before the scheduled holiday period begins.

Example 4: If a holiday falls on a Saturday or Sunday, it is not a scheduled holiday; therefore, the employee is not entitled to paid holiday time off for that particular holiday no matter the employee's normally-scheduled workdays.

Example 5: An employee who is normally scheduled to work other than Monday through Friday is entitled to paid holiday time off during the fiscal year for a scheduled holiday whether or not that scheduled holiday falls on a normally-scheduled workday of the employee.

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

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