

Memorandum of Understanding
between
The City of St. Petersburg
and
The Florida Public Services Union (FPSU/SEIU)
Blue and White Collar Bargaining Units

RE: Article 17, Holidays

17.1 The following holidays shall be observed:

New Year's Day	-January 1
Martin Luther King Jr.'s Birthday	-Third Monday in January
President's Day	-Third Monday in February
Memorial Day	-Last Monday in May
Juneteenth	-June 19
Independence Day	-July 4
Labor Day	-First Monday in September
Veteran's Day	-November 11
Thanksgiving Day	-Fourth Thursday in November
Day following Thanksgiving	-Friday
Christmas Day	-December 25

17.2

A. ~~A holiday must be taken as time off on the day observed as the holiday or paid on the same day that it is observed unless otherwise stated in this labor agreement.~~ Operations permitting, an employees shall receive work days ~~a duty days~~ off with holiday pay for each of the listed holidays. **Employees who are required to work on holidays, and those whose normal days off occur on holidays, shall also receive holiday pay.** ~~In the case where a specific day off with pay is not given to observe a holiday, the holiday benefit shall continue to be eight (8) hours.~~

Employees shall be paid a fixed number of holiday hours based upon their normally assigned work schedules. For example:

- **Employees who are normally assigned to work an eight (8) hour per day schedule shall receive eight (8) hours of holiday pay.**
- **Employees who are normally assigned to work a ten (10) hour per day schedule shall receive ten (10) hours of holiday pay.**
- **Employees who are normally assigned to work a twelve (12) hour per day schedule shall receive twelve (12) hours of holiday pay. While these employees may occasionally work a four (4), eight (8), or sixteen (16) hour work day, their primary schedule assigned is recognized as a twelve (12) hour work day.**

- B. A holiday is a day off with pay. This means that an employee works a day less than a regular number of work days in a week and still receives a full forty (40) hours of pay for the week.

Example: Regular 40 Hour, 5 Day Work Week

~~Employee works four (4) full days and gets one (1) full day off to observe the holiday. The employee receives forty (40) hours for pay. Holiday pay is the difference between hours worked and forty (40) hours. If the employee is on a schedule of five (5) days of eight (8) hours each, the employee would have thirty-two (32) work hours and eight (8) hours of holiday pay (40 hours total). If the employee does not get the specified day off and works five (5) full days in the week, then the employee receives eight (8) hours of holiday time in addition to the full five (5) days of worked time (total of 48 hours), plus premium pay for the eight (8) hours over forty, since holiday hours count towards the computation of overtime.~~

Example: 40 hour, 4 Day Work Week

~~Employee works three (3) full days and gets the day off to observe the holiday. The employee receives forty (40) hours of pay. Holiday time is the difference between hours worked and forty (40) hours. If the employee is on a schedule of four (4) days of ten (10) hours each, the employee would have thirty (30) work hours and ten (10) hours of holiday pay (40 hours total). If the employee is on a schedule of two (2) days of eight (8) hours and two (2) days of twelve (12) hours, then the employee's holiday time would be either eight (8) or twelve (12) hours, depending upon which three (3) days were worked and on which day the holiday fell. If the employee does not get the specific day off and works four (4) full days in the week, then the employee receives eight (8) hours of holiday time in addition to the full four (4) days of worked time (total of 48 hours) plus premium pay for the eight (8) hours over forty (40).~~

Example: Other Odd Work Week Schedules

~~The same logic as described above shall be applied. Either the employee gets the day off with pay to observe the holiday (and receives full week's normal pay) or the employee works a full week and gets eight (8) hours of holiday time added to pay, plus any premium pay for which the employee is eligible.~~

- C. ~~If an employee is given a duty day off to observe a holiday but is required to work due to operational requirements, the employee shall receive holiday time for the day plus pay for the time actually worked, as well as any overtime premium for which the employee is eligible.~~

Example: 4 Days of 10 Hours Each Schedule

~~Employee given Thursday (10 hour work day) off for holiday. The employee works on Monday, Tuesday, and Wednesday per the employee's regular schedule of ten (10) hours each day. The employee then has to come in and work four (4) hours on Thursday. This employee shall be paid for the thirty four (34) hours worked, the ten (10) hours of holiday time for Thursday (total of 44 hours), and overtime premium pay for four (4) hours.~~

17.3 Employees on annual leave, annual military leave, jury duty, illness leave, bereavement leave and other absences from duty but on active pay status on the days the holidays are is observed, **shall receive holiday pay in lieu of the annual leave, military leave, jury duty, illness leave, bereavement leave, or other paid absence** must use the holiday on the same day that it is earned.

17.4 An employee must be on active pay status or work the normal schedule of hours, either on the regularly scheduled working day immediately prior to a holiday or the regularly scheduled working day immediately following a holiday, in order to qualify for the holiday time.

17.5 Employees who are scheduled and required by their supervisor to work on the day observed as a holiday must work that day to be eligible to receive holiday pay. An employee who is scheduled to work on the day observed as a holiday and reports sick will be charged with the holiday for that day. Section 4 of this Article will not apply to employees scheduled and required to work on the day observed as the holiday.

17.6 When a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When a holiday falls on a Sunday, the following Monday shall be designated a substitute holiday and observed as the official holiday.

17.7 The Mayor or designee will determine which departments or operations will be closed in observance of the holiday.

~~17.8 Employees assigned and scheduled to work on a holiday, and who in fact do work, shall receive their usual day's pay, eight (8) hours pay for the holiday, and any overtime premium pay for which they are eligible.~~

~~17.9~~⁹⁸ The current practice of permitting employees who are required to work the holiday due to mission critical and operational needs to elect to store the eight (8) hours of holiday time which is in place for employees in the Police Department will continue. If an employee's regular day off falls on a holiday, with management approval that employee can either opt to have another day off during the week or will receive eight (8) hours of holiday pay for **the employee's normally scheduled work hours** that day, but will not be permitted to bank any holiday hours.

The use of stored holiday time may be granted at the discretion of Department Management. Stored holiday time earned but not used during the fiscal year shall be paid in the last pay period of the fiscal year or prior to an employee's transfer or promotion to a classification which is not eligible for this banking of holiday hours provision. These hours shall be paid at the employee's straight-time hourly rate of pay.

17.10 Codes Investigators who are given the option and choose to work a ten (10) hour, four (4) day weekly schedule, will have a modified City holiday schedule as follows:

- A. In the event a City holiday falls on a Monday or Friday, Codes Investigators not scheduled to work on that day shall not be paid holiday pay for that day. Instead, if such a holiday falls on a Monday the Codes Investigator shall take the following Tuesday as the recognized paid holiday. If such a holiday falls on a Friday, the Codes Investigator shall take the Thursday before as the recognized paid holiday.
- B. As an exception, Codes Investigators who work Monday through Thursday shall take the Wednesday before Thanksgiving as their recognized paid holiday in lieu of the Friday after Thanksgiving.

17.11 Employees who work in the following Plant Maintenance positions (hereinafter maintenance staff): Maintenance Worker I and II; Lead Worker; Plant Maintenance Mechanic Apprentice; Plant Maintenance Mechanic; Plant Maintenance Technician I and II; Senior Plant Maintenance Coordinator; Plant Maintenance Coordinator and Storekeeper II who work at the COSME Water Treatment Facility and who work a ten (10)-hour, four (4)-day weekly schedule, will have a modified City holiday schedule with management's approval as follows:

- A. In the event a City holiday falls on a Friday, maintenance staff not scheduled to work on that day shall not be paid holiday pay for that day. Instead, if such a holiday falls on a Friday, maintenance staff shall take the Thursday before as the recognized holiday.
- B. As an exception to A. above, maintenance staff who work Monday through Thursday shall take the Wednesday before Thanksgiving as their recognized paid holiday in lieu of the Friday after Thanksgiving.