



HUMAN RESOURCES DEPARTMENT

FORT BEND COUNTY, TEXAS

Kent M. Edwards, PHR
Director of Human Resources

To: Judge Robert Hebert
Commissioner Richard Morrison
Commissioner Grady Prestage
Commissioner Andy Meyers
Commissioner James Patterson

From: Kathy Novosad, PHR
Sr. Human Resources Generalist

Date: January 25, 2016

Subject: Revisions to Employee Information Manual:
Policy 507: Holidays

Human Resources is submitting the attached revision to the Employee Information Manual Policy 507, Holidays. The single revision to the policy is to add the word **non-exempt** to Section 507.02. Non-exempt employees are required to work or be on an approved and paid absence the workday before and the workday after a holiday in order to be paid for the holiday. Applying this same policy to an exempt employee could violate the Fair Labor Standards Act. Holidays are considered "absences occasioned by the employer" under Title 29 Labor Code §541.602. The FLSA prohibits deductions from exempt employees pay for such absences.

The revised policy is attached. Please contact Kent Edwards or me if you have any questions.

507 – HOLIDAYS

Section 507.01 County Holidays

Each year Fort Bend County Commissioners Court approves the schedule of holidays that the County will observe for the following year. The schedule is prepared and submitted by the Human Resources Department.

Most Fort Bend County offices and courts are closed in observance of recognized holidays with the exception of certain departments and offices that provide emergency and/or law enforcement services. These offices include but may not be limited to Juvenile Detention, the Sheriff's Office, Constables' Offices, and EMS

Section 507.02 Eligibility

This holiday policy applies to all full-time employees, with the exception of certain employees in the Emergency Medical Services Department who are subject to Policy 508: Paid Leave for Employees of EMS. Part-time and temporary employees are not eligible for holiday pay.

In order to receive holiday pay, a full-time **non-exempt** employee must work, or have approved time off with pay, their last scheduled workday before a holiday, and first scheduled workday after a holiday.

Section 507.03 Holiday Pay

All eligible Fort Bend County employees will receive eight (8) hours of holiday pay at their regular hourly rate of pay for each holiday observed by the County. Some Fort Bend County offices utilize flexible or alternative schedules rather than the traditional 8-hour day, 5-day week. Regardless of an employee's typical work schedule, holiday pay will be equal to 8 hours per holiday.

Note: for purposes of computing overtime, holidays are not considered actual hours worked, and therefore will not count towards the calculation of overtime or compensatory time.

Section 507.04 Alternate Days Observed

If a holiday falls on a Saturday, Fort Bend County typically observes the holiday on the Friday preceding the holiday. If the holiday falls on a Sunday, the holiday will typically be observed on the Monday following the holiday.

Section 507.05 Working a Holiday

If a holiday falls on an employee's regularly scheduled day off, the employee will receive eight (8) hours of holiday pay for the holiday provided they meet the conditions as specified in Sections 507.02 and 507.03 above. If an employee is required to work on a holiday, the employee will receive eight (8) hours of holiday pay in addition to their regular pay for time worked.

Policy Approved and Adopted By:
Fort Bend County Commissioners Court Date:
July 20, 1993
Revised: February 10, 2004
Revised: October 23, 2007
Revised: November 17, 2009
Revised: June 23, 2015
Revised: February 2, 2015