



Holidays

Article 11 of the National Agreement provides for the contractual language that governs holidays observed, eligibility, payment, holiday work on a non-work day, holiday schedule and holiday part-time employees.

Article 11.1 details the 10 holidays observed for full-time and part-time regularly scheduled employees. The holidays observed are New Year's Day (Jan. 1), Martin Luther King Jr.'s birthday (the third Monday in January), Presidents Day (the third Monday in February), Memorial Day (the last Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), Columbus Day (the second Monday in October), Veterans Day (Nov. 11), Thanksgiving Day (the fourth Thursday in November) and Christmas Day (Dec. 25).

Under **Article 11.2**, Eligibility: In order to be eligible, an employee must be "in a pay status" the last hour of the employee's scheduled workday prior to or in the first hour of the employee's scheduled workday after the holiday. This provision is sometimes the subject of a grievance. The issue usually relates to the misapplication of the "in a pay status" clause. If someone has been granted any "paid leave," including "donated leave," he or she is therefore considered to be "in a pay status" and will receive holiday pay.

The payment provisions for a holiday are found in **Article 11.3.A**. Eight hours of holiday pay is paid to full-time employees. Part-time regular employees would be paid based on the number of hours in their regular schedule, provided they were scheduled to work at least five days in the service week.

In regard to part-time flexible employees, both Article 11.1 and Article 11.7 do not provide for part-time flexible employees to receive holiday pay. However, **Article 11.7** provides that the holiday pay that regular carriers receive is built into the part-time flexible hourly wage rate. This is why a part-time flexible's hourly pay is always higher than that of a regular employee at the same level and step.

The calculation is as follows:

A regular employee's hourly rate is based on 2,080 hours.

The part-time flexible hourly rate is based on 2,000 hours.

The difference is the number of holidays (10) x 8 = 80 hours.

This reflects the difference of the part-time flexible

hourly rate versus that of a regular employee rate at the same level and step.

Article 11.4, Holiday Work—Section A states that when an employee is required to work, he or she will be paid the base hourly straight-time rate for each hour worked up to eight hours, in addition to the holiday pay.

Section B states that when an employee is required to work on Christmas, he or she will be paid one-and-one-half times the base hourly straight time rate for each hour worked, in addition to the holiday pay.

The holiday scheduling provision is found in **Article 11.6**. This provision covers how the employer will determine the number and categories of employees needed for holiday work, and a schedule will be posted as of Tuesday preceding the service week in which the holiday falls. The "pecking order" for determining who will be scheduled is governed by this article, unless there are provisions in the local memorandum of understanding (LMOU).

The LMOU may contain a pecking order. This is provided for under Article 30, Section B.13. Absent the LMOU, the parties are to follow Article 11.6 and the holiday scheduling pecking order outlined in the *JCAM* on page 11-3, which is:

1. All casual and part-time flexible employees to the maximum extent possible, even if the payment of overtime is required.
2. All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their holiday or their designated holiday—by seniority.
3. Transitional employees.
4. All full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have volunteered to work on their non-scheduled day—by seniority.
5. Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have not volunteered on what would otherwise be their non-scheduled day—by inverse seniority.
6. Full-time regular, full-time flexible and part-time regular employees who possess the necessary skills and have not volunteered on what would otherwise be their holiday or designated holiday—by inverse seniority. ☒