

# Holiday schedules

**H**oliday scheduling is governed by the provisions of Article 11, Section 6 of the National Agreement and any applicable local memorandum of understanding (LMOU) provisions. Article 11, Section 6.A requires management to determine the number and category of employees needed for holiday work and post a holiday schedule as of the Tuesday preceding the week in which the holiday falls. In the absence of LMOU provisions or a past practice concerning holiday assignments, the default “pecking order” for holiday scheduling specified on page 11-3 of the 2014 *NALC-USPS Joint Contract Administration Manual (JCAM)* is:

1. All 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. City carrier assistant 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.

This default pecking order, in the absence of an applicable LMOU pecking order, must be followed regardless of whether or not full-time employees are on the Overtime Desired List (ODL) or Work Assignment List. It is easy to misunderstand the relationship between the holiday scheduling provisions of Article 11 and the overtime scheduling provisions of Article 8. It is important to make a clear distinction between the two separate phases of scheduling holiday work: 1) the advance scheduling of employees needed for holiday work; and 2) the assignment of overtime work on an actual holiday or designated holiday among employees who were properly scheduled.

**Much of what is often incorrectly considered “overtime”** worked by full-time employees on their holidays or designated holidays is technically not overtime. Rather, it is “holiday worked pay” or “holiday scheduling premium.” For the purpose of the overtime provisions outlined in Article 8, the only work that is contractually considered to be overtime for full-time employees working on their holiday or designated holiday is work beyond eight hours in a day. (See *Employee and Labor Relations Manual [ELM]* 434.53(a).)

Non-ODL letter carriers working on a holiday or designated holiday are considered to be working on their scheduled day (Mittenthal C-06775, page 13). Thus, they may only be required to work overtime under the provisions of Article 8, Section 5.C.2.d as modified by the “letter carrier paragraph” (See *JCAM*, page 8-14). Non-ODL letter carriers working on their non-scheduled day can only be required to work beyond eight hours after the overtime desired list has been exhausted as required by Article 8, Section 5.G.

Similarly, since letter carriers on the Work Assignment List working on a holiday or designated holiday are considered to be working on their scheduled day, they should be assigned overtime on their own assignments as required by the Work Assignment Memorandum (see *JCAM*, page 8-30). In contrast, if letter carriers on the Work Assignment List are working on their non-scheduled day, the provisions of the work assignment memorandum do not apply.

**What if the holiday schedule is not posted as of the** Tuesday preceding the week in which the holiday falls? The *ELM*, Section 434.53c(1) states:

c. A holiday scheduling premium equal to 50 percent of the amount paid in 434.53a is paid to eligible employees for time actually worked on a holiday or on the employee’s designated holiday (except Christmas) when the holiday schedule is not posted in accordance with national agreements, as follows:

1. If the schedule is not posted as of Tuesday preceding the service week in which the holiday falls, a full-time regular bargaining unit employee who is required to work on his or her holiday or designated holiday, or who volunteers to work on that day, receives holiday scheduling premium for each hour of work, not to exceed 8 hours. This premium is in addition to both holiday leave pay and holiday-worked pay.

*ELM* Section 434.53a says that eligible employees who are required to work on their holiday or designated holiday are paid their basic hourly straight time rate for each hour worked up to eight hours. Therefore, if the holiday schedule is not posted as of the Tuesday preceding the week in which the holiday falls, affected full-time regular letter carriers who are required, or who volunteer, to work on their holiday or designated holiday receive a holiday scheduling premium in the amount of 50 percent of their basic hourly straight time rate for each hour they work on that day, up to eight hours.

**Note:** NALC has filed a national-level dispute (Q11N-4Q-14270600) regarding whether the holiday schedule pecking order is applicable to the assignment of personnel to complete parcel select delivery during testing of Sunday parcel delivery (which includes Monday holidays). Any grievance on the issue should be held by the dispute resolution team pending resolution of this national-level dispute.