



Staff Report

for the Board of Directors' Meeting of February 10, 2021

TO: Board of Directors

FROM: Jana Kolakowski, Human Resources Manager

DATE: February 3, 2021

SUBJECT: Updates to Administrative Policy 2030 - Holidays

HUMAN RESOURCES

RECOMMENDATION:

Adopt Resolution 2021-03 (Updates to Administrative Policy 2030 – Holidays), or consider alternate policy updates, as reviewed and discussed by the Administrative Practices Committee without a unanimous recommendation.

BACKGROUND:

New Year's Day, a District holiday, will occur on Saturday, January 1, 2022. If the current policy were followed, the observance would occur on Friday, December 31, 2021. This means additional holiday hours would be added to the 2021 calendar and would be subtracted from the 2022 calendar, resulting in opposition with District Policy 2030 – Holidays, and with all of the District's represented units' labor contracts.

District Policy 2030.6 states, "When any of the above holidays fall on a Sunday, the Monday following will be observed as a holiday. When any of the above holidays fall on a Saturday, the Friday preceding shall be observed as a holiday."

The District met and conferred with AFSCME on January 6, 2021. AFSCME agreed that the policy should be updated. When negotiations are underway for contract renewals, the Holiday article for each unit can be updated to be consistent with the policy.

Other agencies, including the State of California, Nevada County, Placer County, Placer County Water Agency, and other comparable water agencies are consistent with the District on how holidays are observed: Holidays that fall on a Saturday are

observed the preceding Friday and holidays that fall on a Sunday are observed the next Monday. Regarding New Year's Day 2022, some of these agencies continue to follow this guidance. They have the flexibility to reduce their annual allotment of holidays in 2022 by observing New Year's Day 2022 on Friday, December 31, 2021, without amending policies or labor agreements. Some have long-established practices of allowing staff to "bank" or "credit" an observed holiday to their accruals, or options are offered to staff by utilizing a floating holiday.

As many different government entities have differing policies and practices on how to handle this scenario, it is NID's sole determination to modify our policies as necessary for our unique circumstances and long-standing practices.

The District's annual budget process accounts for 11 holidays and two floating holidays per calendar year per employee. To adjust policy for this rare occurrence of the New Year's holiday observance in the year it does not occur, both the Board Policy and labor contracts would need to be re-drafted. The District is required to meet and confer with AFSCME, as the proposed change would result in an additional holiday added in 2021 and one less holiday in 2022.

The proposed policy has only been updated to reflect that an observed holiday shall be observed in the year it occurs. If the Board approves, then New Year's Day 2022 shall be observed on Monday, January 3, 2022.

An alternate draft of the policy language is included for consideration. The District has not met and conferred with AFSCME on this alternate draft, and the Board cannot approve an alternate draft until this has occurred. The item would be scheduled to be presented to the Board for approval at a later date in the future if the alternative language is the Board's chosen direction.

This item is in alignment with Goal No. 1 of the District's Strategic Plan as it supports proactive management of the District's physical, financial and human resources.

BUDGETARY IMPACT:

None

Attachments: (5)

- Resolution 2021-03 (Updates to Administrative Policy 2030 – Holidays)
- Board Policy 2030 Holidays (Draft - proposed)
- Board Policy 2030 Holidays (Draft – alternate)
- NID Holidays 2021 Schedule (Draft)
- Article XI Holidays, Memorandum of Understanding Between Nevada Irrigation District and Supervisory, Field and Office Employees Represented by the American Federation of State, County and Municipal Employees, Local 146 AFL-CIO



RESOLUTION NO. 2021-03
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**UPDATE TO ADMINISTRATIVE POLICY
2030 - HOLIDAYS**

WHEREAS, the Nevada Irrigation District (the "District") intends to establish, and revise from time to time, administrative policies to guide the operations and management of the District; and

WHEREAS, flexibility is needed to celebrate an observed District holiday occurring on a weekend to ensure it is observed in the year it occurs.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Nevada Irrigation District hereby adopts the following policy updates as attached and shall be incorporated herein:

#2030 – Holidays

BE IT FURTHER RESOLVED, that the attached policy shall be incorporated into the District Policy Manual, and the Board Secretary is hereby authorized to assign and revise policy numbers and format and reformat the attached, as needed for an organized, comprehensive, policy manual.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 10th day of February, 2021 by the following vote:

AYES: Directors:
NOES: Directors:
ABSENT: Directors:
ABSTAINS: Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Holidays
POLICY NUMBER: 2030

2030.1 Regular employees will receive a maximum annual allowance of 104 holiday hours.

2030.2 Regular and probationary employees will receive the following observed holidays off with pay at a rate of eight (8) hours per holiday:

New Year's Day	Columbus Day
Martin Luther King Jr. Day	Veterans Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	

The above holidays shall fall on the days specified in State or Federal law of order.

2030.3 Regular and probationary employees will receive an additional sixteen (16) hours of floating holiday pay per calendar year:

2030.3.1 Holiday time will consist of an eight (8) hour day. Work schedules at the time the holidays identified in Section 2030.2 above will require the use of floating holiday to make up the balance in the event of alternate schedules.

2030.3.2 If not used or needed for purposes of Section 2030.3.1 above the remaining eight (8) hours may be used in minimum increments of one (1) hour at the employee's discretion with prior approval of their Department Manager.

2030.3.3 Unused holiday hours will not be paid upon separation from the District nor will they be carried over from calendar year to calendar year.

2030.4 Part-time employees shall be eligible for paid District-observed holidays and floating holiday hours which will coincide with the number of work hours scheduled. Upon completion of the probationary period, regular part-time employees shall be eligible for any unused annual floating holiday hours.

2030.5 Definition of Actual Holidays: Any of the above holidays that fall on a workday in the basic workweek, or the true calendar date.

2030.6 Definition of Observed Holidays: Generally, when any of the above holidays fall on a Sunday, the Monday following will be observed as a holiday. When any of the above holidays fall on a Saturday, the Friday preceding shall be observed as a holiday. An observed holiday will be observed in the year that it occurs.

2030.7 Holiday Work: Employees may be required to work on holidays that fall on their workdays, in which event any such employee shall, in addition to the holiday pay, be compensated at the overtime rate of pay for all time worked on such days, or have the day added to the vacation time.

If any of the above holidays fall on a Saturday or Sunday (Observed Holiday in effect) and on a regular workday for the employee, the Actual Holiday will be treated as a holiday worked. If the employee works both the Observed Holiday and the Actual Holiday they are only entitled to treat one of those days as a Holiday Worked.

2030.8 Weekday Holidays and Days Off: When any of the above holidays fall during the period of Monday through Friday, but the day which the holiday occurs upon is a non-workday of an employee, that employee shall be compensated at the straight time rate of pay for that day, or have the Holiday (8 hours) added to vacation time.

2030.9 Holiday Hours Converted to Vacation Time: Any holiday hours converted to vacation time will be counted as holiday hours received for purposes of the maximum annual allowance of 104 hours.

Adopted: June 25, 2014 via Resolution No. 2014-10

Revised: February 10 2021 via Resoluiton 2021-03

Nevada Irrigation District

POLICY MANUAL

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POLICY NUMBER: 2030

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Labor Day	

The above holidays shall fall on the days specified in State or Federal law of order.

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2030.3.1 Holiday time will consist of an eight (8) hour day. Work schedules at the time the holidays identified in Section 2030.2 above will require the use of floating holiday to make up the balance in the event of alternate schedules.

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2030.4 Part-time employees shall be eligible for paid District-observed holidays and floating holiday hours which will coincide with the number of work hours scheduled. Upon completion of the probationary period, regular part-time employees shall be eligible for any unused annual floating holiday hours.

2030.5 Definition of Actual Holidays: Any of the above holidays that fall on a workday in the basic workweek, or the true calendar date.

2030.6 Definition of Observed Holidays: When any of the above holidays fall on a Sunday, the Monday following will be observed as a holiday. When any of the above holidays fall on a Saturday, the Friday preceding shall be observed as a holiday. If a holiday falls on a Saturday and cannot be observed on the preceding Friday due to not being in the calendar year that it occurs, then it shall be observed on a Monday. In all cases, the hours and number of observed holidays and floating holidays shall be available to eligible employees commensurate with 2030.1, 2030.2 and 2030.3 and may be utilized from January 1 through December 31 of each calendar year while actively employed by the District.

2030.7 Holiday Work: Employees may be required to work on holidays that fall on their workdays, in which event any such employee shall, in addition to the holiday pay, be compensated at the overtime rate of pay for all time worked on such days, or have the day added to the vacation time.

If any of the above holidays fall on a Saturday or Sunday (Observed Holiday in effect) and on a regular workday for the employee, the Actual Holiday will be treated as a holiday worked. If the employee works both the Observed Holiday and the Actual Holiday they are only entitled to treat one of those days as a Holiday Worked.

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Adopted: June 25, 2014 via Resolution No. 2014-10

Revised: XXXX via Resolution No. 2021-XX

Nevada Irrigation District

2021 Holiday Schedule



New Year's Day	Friday, January 1 st
Martin Luther King, Jr. Day	Monday, January 18 th
President's Day	Monday, February 15 th
Memorial Day	Monday, May 31 st
Independence Day (observed)	Monday, July 5 th
Labor Day	Monday, September 6 th
Columbus Day	Monday, October 11 th
Veterans Day	Thursday, November 11 th
Thanksgiving Day	Thursday, November 25 th
Day after Thanksgiving	Friday, November 26 th
Christmas Day (observed)	Friday, December 24 th
New Year's Day 2022 (observed)	Friday, December 31 st

ARTICLE XI

HOLIDAYS

Regular employees will receive a maximum annual allowance of 104 holiday hours.

1. Regular and probationary employees will receive the following observed holidays off with pay at a rate of eight (8) hours per holiday:

New Year's Day	Columbus Day
Martin Luther King's Birthday	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	

The above holidays shall fall on the days specified in State or Federal law.

2. Regular and Probationary employees will receive an additional sixteen (16) hours of floating holiday pay per calendar year:
 - a. Holiday time will consist of an 8-hour day. Work schedules at the time the holidays identified in paragraph 1 will require the use of floating holiday to make up the balance in the event of alternate schedules.
 - b. If not used or needed for purposes of paragraph 3.a above the remaining eight (8) hours may be used in minimum increments of one (1) hour at the employees discretion with prior approval of their Department Manager.

Unused holiday hours will not be paid upon separation from the District nor will they be carried over from calendar year to calendar year.

3. Part-time employees shall be eligible for paid District-observed legal holidays and floating holiday hours, which will coincide with the number of work hours scheduled. Upon completion of the probationary period, regular part-time employees shall be eligible for any unused annual floating holiday hours.
4. Definition of Actual Holidays: Any of the above holidays that fall on a workday in the basic workweek, or the true calendar date.
5. Definition of Observed Holidays: When any of the above holidays fall on a Sunday, the Monday following will be observed as a holiday. When any of the above holidays fall on a Saturday, the Friday preceding shall be observed as a holiday.

6. Holiday Work: Employees may be required to work on holidays that fall on their workdays, in which event any such employee shall, in addition to the holiday pay, be compensated at the overtime rate of pay for all time worked on such days, or have the day added to the vacation time.

If any of the above holidays fall on a Saturday or Sunday (Observed Holiday in effect) and on a regular workday for the employee, the Actual Holiday will be treated as a holiday worked. If the employee works both the Observed Holiday and the Actual Holiday they are only entitled to treat one of those days as a Holiday Worked.

7. Weekday Holidays and Days Off: When any of the above holidays fall during the period of Monday through Friday, but the day which the holiday occurs upon is a non-workday of an employee, that employee shall be compensated at the straight time rate of pay for that day, or have the Holiday (8 hours) added to Vacation time.
8. Holiday Hours Converted to Vacation Time: Any holiday hours converted to vacation time will be counted as holiday hours received for purposes of the maximum annual allowance of 104 hours.