

FAIR LABOR STANDARDS ACT
 EXAMPLES OF COMPENSATION DUE
 FLSA NONEXEMPT EMPLOYEES IN A HOLIDAY WORKWEEK

			HOLIDAY					
	05/27 Saturday	05/28 Sunday	05/29 Monday	05/30 Tuesday	05/31 Wednesday	06/01 Thursday	06/02 Friday	COMPENSATION DUE
I.	X	X	8H	8W	8W	8W	8W	8H + 32W = 40ST
II.	X	X	8H	8W	10W	8W	8W	8H + 34W = 42ST
III.	X	X	8H	10W	10W	12W	10W	8H + 42W = 8H + 40ST + 2PP = 48ST + 2PP
IV.	X	X	8W	8W	8W	8W	8H	32W + 8H = 40ST
V.	X	X	8W	8W	8W	8W	8W	40W + 8AH = 40ST + 8AH
VI.	X	X	8W	8W	10W	8W	8W	42W + 8AH = 40ST + 2PP + 8AH
VII.	X	X	8W	8W	8S	10W	10W	36W + 8H = 44ST
VIII.	X	X	10W	12W	10W	10W	8 Calls in (sick or annual)	42W + 8AH = 40ST + 2PP + 8AH

I. Employee did not work the Monday holiday, but worked 32 hours in the week. This employee should be paid 8 hours for the holiday plus 32 hours time worked, for a total of 40 hours.

II. Employee did not work the Monday holiday, but worked 34 hours in the week. This employee should be paid 8 hours for the holiday plus 34 hours time worked, for a total of 42 hours straight time. There is no premium pay for the 2 hours in excess of 40, as the employee worked 40 or less hours in the week (i.e. 34).

III. The employee did not work the Monday holiday, but worked 42 hours in the workweek. This employee should be paid 8 hours for the holiday plus 42 hours worked. Since the employee worked more than 40 hours in the week (i.e. 42) he should be paid 8 hours for the holiday plus 40 hours straight time plus 2 hours at time and one-half. This totals 48 hours straight time plus 2 hours at time and one-half.

IV. This employee worked 8 hours on the Monday holiday, so he is owed 8 hours off at a later date. He then works 24 more hours, for a total of 32 hours worked. He takes his 8 hours holiday on Friday, so he is owed 32 hours worked plus 8 hours holiday, for a total of 40 hours straight time.

V. The employee worked 8 hours on the Monday holiday, so he is owed 8 hours holiday time off at a later date. He worked 40 hours in the week, so he is owed 40 hours straight time, plus 8 hours holiday time off at a later date.

VI. This employee worked 8 hours on the Monday holiday, so he is due 8 hours holiday time off at a later date. He worked 34 more hours for a total of 42 hours in the week. He is therefore compensated for 40 hours straight time plus 2 hours at time and one-half, plus he is owed 8 hours holiday time off at a later date.

VII. This employee worked 8 hours on the holiday, so he is owed 8 hours holiday time off at a later date. During the rest of the week he called in sick on Wednesday and he worked 28 more hours, for a total of 36 hours worked in the week. This employee's 8 hours of holiday time should be used to cover the absence on Wednesday, so he should be compensated for 36 hours worked plus 8 hours holiday pay, for a total of 44 hours straight time.

VIII. This employee worked 10 hours on the Monday holiday, so he is owed 8* hours holiday time off at a later date. He worked 32 additional hours through Thursday. This employee is owed 8 hours holiday time off at a later date, plus 42 hours for time worked (i.e. 40 hours straight time plus 2 hours time and one-half). The employee's work week should end after Thursday, and Friday becomes a day off.

*The total amount of paid time off for holidays shall not exceed eight hours per full day holiday.
Division of Personnel *Administrative Rule* 14.1(b).

NOTE: Scenarios VII and VIII assume an agency policy requiring utilization of "banked" holidays prior to utilization of paid sick and/or annual leave, and of prohibiting utilization of sick and/or annual leave in work weeks in which work time plus holiday time off totals 40 hours or more.