

## Board of Governors Rule

Talent and Culture

Holidays

Responsible Unit: Talent and Culture

Amended: TBD

Effective: TBD

Revision History: Prior BOG Policy 8 (September 6, 2002); Rewritten and adopted as BOG Rule 3.6 on September 8, 2017 (effective September 28, 2017)

Review Date: TBD

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### **BOG TALENT AND CULTURE RULE 3.6 HOLIDAYS**

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#### **SECTION 1: PURPOSE & SCOPE.**

- 1.1 This Rule establishes the guiding principles for setting the holiday schedule for West Virginia University, including the Divisional Campuses.
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#### **SECTION 2: GRANTING POWER.**

- 2.1 The West Virginia University Board of Governors hereby directs that the President shall determine six floating holidays, which will be observed by the employees of that institution in addition to the six holidays specified in Section 3.1 of this Rule.
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#### **SECTION 3. NUMBER OF HOLIDAYS.**

- 3.1 The number of full holidays shall be 12 days, plus additional days for any Election Day (primary or general) held throughout the State. Days taken shall include Martin Luther King Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day. Six additional days determined by the President as provided in Section 2.1 shall also be taken. If a specified holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday will be observed as the legal holiday.
- 3.2 Proclamation of additional legal holidays by the President of the United States, Governor, or other duly constituted authority may be observed by University employees if the President of West Virginia University determines that the additional legal holiday should be observed by University employees.
- 3.2.1 In the instances where an additional legal holiday is proclaimed, the President may designate the additional legal holiday through either a change to the holiday schedule or as floating holiday time for leave eligible employees. If granted as a

floating holiday, the ~~at floating~~ holiday time must be used by the deadline established by the University~~end of the fiscal year in which it was granted~~, and the time is not eligible for pay out.

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#### **SECTION 4: HALF HOLIDAYS.**

- 4.1 To provide equity with the Executive Branch of government, one-half day preceding Christmas or New Year's Day shall be a holiday when Christmas or New Year's Day falls on Tuesday, Wednesday, Thursday, or Friday. These days will be scheduled at the discretion of the President giving due consideration to operational needs of the University.
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#### **SECTION 5: SCHEDULES.**

- 5.1 Holiday schedules are to be established and used on a fiscal year basis.
- 5.2 The President shall submit to the Board of Governors by June 30 of each year and shall post on campus a list of the holidays to be observed by the University for the upcoming fiscal year.
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#### **SECTION 6: DEFINITIONS.**

- 6.1 All defined terms for this Rule are contained within the Definitions Section of Board of Governors Talent & Culture Rule 3.1, unless the text clearly indicates a different meaning.
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#### **SECTION 7: DELEGATION.**

- 7.1 The Board of Governors delegates to the Vice President for Talent and Culture the ability to adopt internal human resource policies and procedures in order to implement the provisions of this Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.
- 7.2 To the extent federal and state law is inconsistent with this Rule and it is not possible for the University to comply with all, applicable law will govern. Accordingly, Talent and Culture, with advice from the Office of General Counsel, has the discretion to implement any necessary changes in order to comply with legal obligations.

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**SECTION 8: AUTHORITY.**

8.1 W. Va. Code §18B-1-6; §18B-2A-4; §2-2-1.

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**SECTION 9: SUPERSEDING PROVISIONS.**

9.1 This Rule supersedes and replaces Higher Education Policy Commission (“HEPC”) Series 8 (W. Va. Code R. §§ 133-8-1 to -19), which was adopted November, 22, 2001, [and repealed June 22, 2018](#); HEPC Series 14 (W. Va. Code R. §§ 133-14-1 to -6), which was adopted April 19, 2002, [and repealed and replaced December 1, 2019](#); HEPC Series 38 (W. Va. Code R. §§ 133-38-1 to -13), which was adopted November 19, 1992; HEPC Series 53 (W. Va. Code R. §§ 133-53-1 to -17), which was adopted May 2, 2013, [and repealed March 29, 2019](#); [HEPC Series 55 \(W. Va. Code R. §§ 133-55-1 to -27, including Appendix A\), which was adopted June 4, 2018](#), and any other [current or subsequent](#) Rule of the HEPC which relates to the subject matter contained within this Rule. This Rule also repeals and supersedes WVU BOG Policy 8 – Holidays, which was adopted on September 6, 2002, and any other Human Resources policy or procedure which relates to the subject matter contained within this Rule.