

Subject: Ohio County Policies for Update  
**SPECIAL UPDATE – MAY 2022**

**OVERVIEW AND COMMENTS**

This policy replacement is provided in response to SB 11, effective June 10, 2022, which makes specific corrections to R.C. 3319.087 regarding paid holidays for all regular nonteaching school employees.

As enacted in 2021, House Bill 110 called for Juneteenth to be a mandatory holiday for nine (9) and ten (10) month regular nonteaching school employees, but did not include eleven (11) and twelve (12) month employees. Citing a "drafting error" in the legislation, the General Assembly "corrected" the statute to provide Juneteenth as a paid holiday for all eleven (11) and twelve (12) month regular nonteaching school employees.

This replacement policy is provided at the request of clients, however, Neola advises that a policy is not necessary in order to provide such a benefit. While most paid holiday provisions are covered by collective bargaining provisions, not all clients nor all employees are covered under such agreements. Make note also of "vacation-eligibility" situations during periods of time when employees may not be scheduled to work or when school is not in session. The options provided in this policy reflect specific provisions of state law (R.C. 1.14, 124.18, 3319.086, and 3319.087). For employees covered under R.C. 3319.087, Juneteenth is a mandatory holiday for eleven (11) or twelve (12) month employees. Districts may elect to add Juneteenth and other holidays for employees as negotiated or as otherwise approved by the Board. It is noted that some districts may wish to extend such holiday pay for other employees. If that is the case, be sure to consider any collective bargaining implications and contact your Neola Associate for assistance in modifying the template to include such employees, if a policy is desired.

This Special Update includes the following documents:

**Legal Alert: Juneteenth and Regular Nonteaching Employees**  
**Policy 1439 - Holidays**

## **Policy 4439 - Holidays**

These documents have been posted to each client's BoardDocs console and may be downloaded from the Policy Update menu.

If you have questions about any of these Special Update materials, contact your Neola Associate. All production-related materials and questions should be directed to the Production Office at 632 Main Street, Coshocton, Ohio 43812 (phone 800-407-5815, fax 740-622-2557). Billing and other questions should be directed to the Business Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone 330-926-0514, fax 330-926-0525).

### **Cross References**

- 1 - Overview - Special Update - May 2022 Juneteenth and Regular Nonteaching Employees Overview
- 2 - Policy Disposition sheet - Policy Disposition Sheet
- 3 - Legal Alert - Special Update - May 2022 Juneteenth and Regular Nonteaching Employees
- po1439 - Replacement Policy - Special Update - May 2022 - HOLIDAYS
- po4439 - Replacement Policy - Special Update - May 2022 - HOLIDAYS

Book Policy Manual

Section Special Update - May 2022

Title Policy Disposition Sheet

Code 2 - Policy Disposition sheet

Status 1) Reading and Review

Adopted June 15, 2022

Last Revised May 9, 2022

Last Reviewed May 18, 2022

**DISPOSITION OF NEW/REVISED/REPLACEMENT  
POLICIES FOR BOARD ADOPTION**

**SPECIAL UPDATE - MAY 2022**

**Coding for District-Specific Edits**

**\*1** = drafted by District staff

**\*2** = if the material was a work for hire, that is, material the District paid someone else to develop but from whom the District purchased the rights to publish

**\*3** = if the material is copyrighted to someone else from whom the District has secured permission to publish the material

(No code is needed for accepting Neola's vetted material)

Policy Number	Date Adopted	District-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po1439	06/15/2022			
po4439	06/15/2022			

Book	Policy Manual
Section	Special Update - May 2022
Title	Replacement Policy - Special Update - May 2022 - HOLIDAYS
Code	po1439
Status	1) Reading and Review
Adopted	June 15, 2022
Last Revised	May 9, 2022
Last Reviewed	May 18, 2022

### **Replacement Policy - Special Update**

#### **1439 - HOLIDAYS**

A. To be eligible for a paid holiday, regular nonteaching employees must have accrued earnings on the next preceding and next following scheduled workdays before and after such holiday or must be properly excused from attendance at work on either or both of those days. Holidays must fall during the time of year in which an employee is scheduled to work. Eligible employees receive their regular salary or hourly rate of pay on a holiday.

B. **Eleven (11) and Twelve (12) Month Employees.** All regular nonteaching school employees employed on an eleven (11) or twelve (12) month basis, whether salaried or compensated on an hourly or per diem basis, are entitled to a minimum of the following holidays for which they shall be paid their regular salary or their regular rate of pay:

1. New Year's Day;
2. Martin Luther King Day;
3. Memorial Day;
4. Juneteenth Day;
5. Independence Day;
6. Labor Day;
7. (X) President's Day;
8. (X) Good Friday;
9. Thanksgiving Day;
10. (X) Friday after Thanksgiving and;
11. Christmas Day.

~~[DRAFTING NOTE: For employees covered under R.C. 3319.087, Juneteenth is a mandatory holiday for eleven (11) or twelve (12) month employees. Educational Service Centers may elect to add other holidays as approved by the Governing Board, excluding those days when teachers are attending an educational meeting. Educational Service Centers should coordinate enactment of this policy with the language of any existing administrative employment agreements.]~~

C. **Nine (9) and Ten (10) Month Employees.** All regular nonteaching school employees employed on a nine (9) or ten (10) month basis, whether salaried or compensated on an hourly or per diem basis, are entitled to a minimum of the following holidays for which they shall be paid their regular salary or their regular rate of pay:

1. New Year's Day;

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3. Memorial Day;
4. Labor Day;
5. (X) President's Day;
6. (X) Good Friday;
7. Thanksgiving Day;
8. (X) Friday after Thanksgiving; and
9. Christmas Day.

Regular nonteaching school employees employed less than nine (9) months shall be entitled to a minimum of those holidays enumerated in this section which take place during the employees' scheduled time of employment.

- D. If New Year's Day (January 1<sup>st</sup>), Independence Day (July 4<sup>th</sup>), and/or Christmas Day (December 25<sup>th</sup>) fall on a Sunday, then they shall be observed on the following Monday. If any of these holidays fall on a Saturday, they will be observed the Friday before.
- E. When any employee is required by the employee's responsible administrative superior to work on a paid holiday, the employee shall be granted compensatory time off with regular pay. The Governing Board may establish a premium rate of pay for work performed on a paid holiday.

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R.C. 1.14, 124.18, 3319.086, 3319.087

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Title	Replacement Policy - Special Update - May 2022 - HOLIDAYS
Code	po4439
Status	1) Reading and Review
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Last Revised	May 9, 2022
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