

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, DC

# FSIS NOTICE

52-22

9/19/22

## FEDERAL HOLIDAYS IN CALENDAR YEAR 2023

### I. PURPOSE

This notice announces the Federal holidays in calendar year 2023, the methods for determining when to observe holidays when they fall on non-workdays and the in-lieu-of dates, and when employees who work shifts that span 2 calendar days are to observe holidays.

### II. LEGAL PUBLIC HOLIDAYS

Federal law establishes the following as legal public holidays:

New Year's Day, January 1

Birthday of Martin Luther King, Jr., the third Monday in January

Washington's Birthday, the third Monday in February

Memorial Day, the last Monday in May

Juneteenth, June 19

Independence Day, July 4

Labor Day, the first Monday in September

Columbus Day, the second Monday in October

Veterans Day, November 11

Thanksgiving Day, the fourth Thursday in November

Christmas Day, December 25

Attachment 1 lists the dates employees are to observe each holiday in 2023 based on the days they are scheduled to work (i.e., Sunday through Thursday, Monday through Friday, Tuesday through Saturday).

**DISTRIBUTION:** Electronic

**NOTICE EXPIRES:** 10/1/23

**OPI:** OPPD

### III. DETERMINING THE DAY TO OBSERVE A HOLIDAY

A. The day an employee observes a holiday depends on the employee's tour of duty and status on the day upon which the holiday falls. When a holiday falls on a scheduled workday, the employee observes the holiday on that day. When a holiday falls on a non-workday, an in-lieu-of holiday is identified.

B. The general rule for identifying an in-lieu-of holiday is as follows:

1. When a holiday falls on a Sunday non-workday, the employee observes the holiday on his or her next scheduled workday. For example, if a holiday falls on a Sunday and the employee's tour of duty is Monday through Friday, he or she observes the holiday on Monday, and if the tour of duty is Tuesday through Saturday, the employee observes the holiday on Tuesday.
2. If the holiday falls on a non-workday other than Sunday, the employee observes the holiday on the preceding workday. For example, if a holiday falls on a Saturday, and the employee's tour of duty is Monday through Friday or Sunday through Thursday, he or she observes the holiday on the preceding Friday.

C. The exception to this general rule applies to an employee with Sunday as part of his or her tour of duty and will identify an in-lieu-of holiday as follows:

1. If the holiday falls on a Friday non-workday, the employee observes the holiday on his or her next scheduled workday. For example, if a holiday falls on a Friday and the employee's work schedule is Sunday through Thursday, he or she observes the holiday on Sunday.
2. If the holiday falls on a non-workday other than Friday (i.e., Saturday), the employee observes the holiday on the preceding workday. For example, the employee's work schedule is Sunday through Thursday. When the holiday falls on a Saturday, the employee would observe the holiday on Thursday.

D. An employee who is relieved or prevented from working on the holiday is entitled to basic pay for the number of hours of the basic tour of duty he or she would have worked if the day had not been a holiday.

1. A full-time employee under a Maxiflex schedule is credited with a maximum of 8 hours of basic pay on the holiday even if he or she would normally work more hours on that day.
2. An employee who works a compressed work schedule is credited with 8, 9 or 10 hours of basic pay on the holiday that falls on an 8-, 9- or 10-hour day, respectively.

E. An employee who is required to work on the holiday is entitled to holiday premium pay for the hours worked within his or her basic tour of duty (nonovertime hours). This premium pay is in addition to the employee's basic pay. An employee under a flexible work schedule may only receive up to 8 hours of holiday premium pay when he or she is required to work on a holiday.

F. For inspection program personnel (IPP), the inspector-in-charge (IIC) or the supervisor is to notify the establishment official of specific calendar days IPP will observe holidays according to

the provisions in this notice. The IIC or supervisor is to post a notice of the scheduled holidays employees will observe on the bulletin board in the USDA office. Attachment 1 may be used for this purpose.

#### **IV. SHIFTS THAT SPAN 2 CALENDAR DAYS**

A. When IPP have work schedules that span across 2 calendar days, (e.g., the shift begins at 11:00 p.m. and runs through 7:30 a.m. the next day) the holiday is to be observed on the day during which the holiday begins. For example, Thanksgiving falls on Thursday, November 23. Employees whose shift spans across 2 calendar days would report for work Wednesday night, November 22, and work as usual into Thursday (Thanksgiving) morning. These employees would observe the Thanksgiving holiday on the shift that begins on Thursday night, November 23 at 11:00 p.m.

B. The Agency is to follow the instructions established by [E.O. 11582](#). Although the day on which these employees are to observe the holiday does not necessarily coincide with the day on which an establishment observes the holiday, FSIS does not have the authority to adjust the day of observance for its employees, nor does it have the authority to instruct an establishment when to observe the holiday.

#### **V. INTERMITTENT EMPLOYEES**

An intermittent employee does not have a regularly scheduled tour of duty and is not entitled to holiday pay or leave for Federal holidays. However, an intermittent employee does receive basic pay for hours of work performed on a holiday. For example, an intermittent employee who works 4 hours on a holiday receives 4 hours of basic pay.

#### **VI. PART-TIME EMPLOYEES**

A part-time employee receives his or her basic pay for hours worked on a holiday that is included in his or her regularly scheduled tour of duty, or if excused from duty on a holiday, receives basic pay for all hours of the day's scheduled tour of duty. If they work on the holiday, they receive holiday premium pay for hours worked in addition to basic pay. A part-time employee is not entitled to an in-lieu-of holiday, but may be given administrative leave when prevented from working on the in-lieu-of holiday.

#### **VII. QUESTIONS**

Refer questions regarding this notice to [FSISHR1@usda.gov](mailto:FSISHR1@usda.gov) with the subject "Holidays" or call 877-FSIS-HR1 (877-347-7471) and select option 4.



Assistant Administrator  
Office of Policy and Program Development

## FEDERAL HOLIDAYS IN 2023 FOR FULL-TIME EMPLOYEES

LEGAL HOLIDAY	MONDAY-FRIDAY	SUNDAY-THURSDAY	TUESDAY-SATURDAY	MONDAY-THURSDAY
New Year's Day January 1 Sunday	January 2* Monday	January 1 Sunday	January 3* Tuesday	January 2* Monday
Birthday of Martin Luther King, Jr. January 16 Monday	January 16 Monday	January 16 Monday	January 14* Saturday	January 16 Monday
Washington's Birthday February 20 Monday	February 20 Monday	February 20 Monday	February 18* Saturday	February 20 Monday
Memorial Day May 29 Monday	May 29 Monday	May 29 Monday	May 27* Saturday	May 29 Monday
Juneteenth June 19 Monday	June 19 Monday	June 19 Monday	June 17* Saturday	June 19 Monday
Independence Day July 4 Tuesday	July 4 Tuesday	July 4 Tuesday	July 4 Tuesday	July 4 Tuesday
Labor Day September 4 Monday	September 4 Monday	September 4 Monday	September 2* Saturday*	September 4 Monday
Columbus Day October 9 Monday	October 9 Monday	October 9 Monday	October 7* Saturday	October 9 Monday
Veterans Day November 11 Saturday	November 10* Friday	November 9* Thursday	November 11 Saturday	November 9* Thursday
Thanksgiving Day November 23 Thursday	November 23 Thursday	November 23 Thursday	November 23 Thursday	November 23 Thursday
Christmas Day December 25 Monday	December 25 Monday	December 25 Monday	December 23* Saturday	December 25 Monday

Refer to the body of the notice for further guidance regarding employees working compressed or flexible tours of duty, or for guidance regarding employees working shifts that span 2 calendar days.

\*Designates in-lieu-of holiday