



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

Thursday, January 3, 2013

CPM 2013-01

MEMORANDUM FOR: Chief Human Capital Officers

FROM: Angela Bailey
Associate Director
Employee Services

Subject: Monday, January 21, 2013 – Birthday of Martin Luther King, Jr. and
Inauguration Day holidays

In 2013, the birthday of Martin Luther King, Jr., and Inauguration Day holidays will be observed by most Federal employees on Monday, January 21. This memorandum provides pay and leave guidance for these holidays.

Holiday Designation for Inauguration Day

As provided by law, Inauguration Day is a legal public holiday on January 20th of every fourth year in the Washington, DC, area, except when it falls on Sunday, in which case the next succeeding day selected for the public observance of the inauguration of the President is a legal public holiday. In 2013, January 20th falls on Sunday, and the public observance of the President's Inauguration will be held on Monday, January 21. Since Inauguration Day falls on the same day as the holiday commemorating the birthday of Martin Luther King, Jr., both holidays will be observed on the same day, Monday, January 21, 2013.

Holiday Observation for Birthday of Martin Luther King, Jr.

Employees who are regularly scheduled to work on Monday, January 21, will observe both holidays concurrently. Employees who are not required to work on a holiday receive their rate of basic pay for the applicable number of holiday hours, and employees who are required to perform any work during basic (nonovertime) holiday hours are entitled to a minimum of 2 hours of holiday premium pay. Employees who are not scheduled to work on January 21 will receive an "in lieu of" holiday for the Martin Luther King, Jr., holiday, but not for the Inauguration Day holiday. By law, there is no entitlement to an "in lieu of" holiday for employees who are not scheduled to work on Inauguration Day.

The "in lieu of" holiday for the birthday of Martin Luther King, Jr., is designated in law as the employee's basic workday immediately preceding the nonworkday. The head of an agency may designate a different "in lieu of" holiday for full-time employees under compressed work schedules if he or she determines that a different "in lieu of" holiday is necessary to prevent an "adverse agency impact." (See 5 U.S.C. 6131(b) and 6103(d).)

Information relating to holidays, work schedules, and holiday premium pay can be found on OPM's website at:

“Federal Holidays - Work Schedules and Pay” at <https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/holidays-work-schedules-and-pay/>,

“Compressed Work Schedules” at www.opm.gov/oca/worksch/HTML/AWScws.asp, and

“Flexible Work Schedules” at www.opm.gov/oca/worksch/HTML/awsfws.asp.

Additional Information for Human Resources Offices

Agency headquarters-level human resources offices may contact Pay and Leave at OPM at pay-leave-policy@opm.gov. Agency field offices should contact their appropriate headquarters-level agency human resources office.

Additional Information for Employees

Since “in lieu of holidays” relate to an individual's work schedule, employees should contact their servicing agency human resources office for further information. Inquiries to OPM from individual employees will be returned or forwarded to the appropriate agency human resources office. Employees of the U.S. Postal Service and contract employees should contact their supervisor (or contract officer) to obtain information on their pay and leave entitlements for January 21st.

cc: Human Resources Directors