

**FLSA-247**

June 5, 1978

This is in reply to your letter of May 4, 1978, concerning Federal and State holidays.

The term "Federal holidays" only refers to the nine holidays which Federal employees receive. While the Congress or the President may declare a holiday, there is no Federal law which would require private employers, such as banks, to grant their employees time off for holidays, with or without pay. Further, overtime pay would not be required under Federal law for work performed on any holiday. Overtime compensation is due under the Fair Labor Standards Act only to covered and nonexempt employees for hours actually worked after 40 in a workweek.

As indicated in our previous letter, whether or not State holidays must be granted to employees is a matter solely within the jurisdiction of a particular State. Accordingly, you may wish to contact the Department of Labor and Industry for the State of Virginia at Fourth and Grace Streets, Richmond, Virginia 23219, (telephone: (804) 786-2376) for further information.

We regret that this Department cannot be of further assistance to you in this matter.

Sincerely,

William G. Blackburn, Chief  
Branch of Wage and Hour Standards