

Does Texas require paid holiday time off?

Q. Last year, Christmas fell on a Saturday, and one of my employees who normally works Monday through Friday asked me if he would receive an extra day of pay. Are Texas employers required to provide employees with certain paid holidays?

A. The law does not require paying employees for holidays unless they perform work that day. Additionally, employers do not have to pay nonexempt employees premium wages (e.g., time-and-a-half or double-time) for hours worked on a holiday unless the employee is otherwise entitled to overtime for working more than 40 hours in the workweek.

Although the law doesn't require employers to establish particular holiday pay practices, note that any existing written agreements (including statements in employee handbooks and elsewhere) and the custom or practice of paying workers for certain holidays *could* create a contractual obligation to pay employees for unworked holidays.

Accordingly, be careful when implementing or altering holiday pay practices.

Employers aren't legally required to give workers time off during the workweek for holidays that fall on days they don't normally work—such as a weekend, in this case. However, if you have an agreement, custom or practice of granting a Friday or Monday off when a holiday falls on a weekend, you may be contractually bound to do so, just as with holiday pay.