



## UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

### MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: KATHLEEN M. McGETTIGAN  
ACTING DIRECTOR

A handwritten signature in blue ink that reads "Kathleen M. McGettigan".

Subject: Juneteenth National Independence Day Holiday

Today, President Biden signed the Juneteenth National Independence Day Act (S. 475) into law, recognizing the historical significance of the Juneteenth National Independence Day to the United States and that (1) history should be regarded as a means for understanding the past and solving the challenges of the future; and (2) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States. The Act amends section 6103(a) of title 5, United States Code, to include “Juneteenth National Independence Day, June 19,” in the list of official holidays for Federal employees. The Juneteenth National Independence Day (“Juneteenth”) holiday and this memorandum apply to full-time and part-time Federal employees who are covered by section 6103.<sup>1</sup>

This year, June 19 falls on a Saturday. When a Federal holiday falls on a nonwork day for a **full-time** employee (including a full-time employee on a flexible or compressed work schedule), an alternative or “in-lieu-of” holiday within the employee’s tour of duty is designated based on the rules in 5 U.S.C. 6103(b) and Executive Order 11582. Accordingly, employing agencies must apply these rules for determining the “in-lieu-of” holiday for full-time employees who do not have a regular workday on Saturday, June 19, subject to the limitations described in this memorandum. For employees with a Monday-through-Friday work schedule, the “in-lieu-of” holiday will be June 18 (Friday).

**Part-time** employees are not entitled to an “in-lieu-of” holiday. If an agency’s office or facility is closed due to an “in-lieu-of” holiday for full-time employees, the agency may grant administrative leave to part-time employees who are otherwise scheduled to work on that day.

For an explanation of how to identify the “in-lieu-of” holiday based on the employee’s work schedule, see [Fact Sheet: Federal Holidays - "In Lieu Of" Determination](#). We note that agency heads may prescribe rules that change the otherwise applicable “in-lieu-of” holiday under certain conditions for employees on a compressed work schedule. (See 5 U.S.C. 6103(d).)

Employees who are required to perform work on June 19 or an employee’s designated “in-lieu-of” holiday may be eligible for holiday premium pay as described by 5 U.S.C. 5546 and 5 CFR 550.131-132, subject to the limitations on premium pay under 5 U.S.C. 5547. For each hour of qualifying holiday work, eligible employees receive holiday premium pay equal to an employee’s rate of basic pay in addition to their rate of basic pay. Employees who are required

<sup>1</sup> Agencies with independent authority for certain categories of employees may adopt the holiday without specific legislation.

to work on a holiday receive their rate of basic pay, plus holiday premium pay, for each hour of holiday work—i.e., double or 200 percent of their rate of basic pay. For more information, see [Fact Sheet: Federal Holidays - Work Schedules and Pay](#). (Note: Certain employees may be covered by different premium pay rules established under an agency’s independent authority rather than under title 5 provisions.)

The following guidance pertains specifically to the implementation of the Juneteenth holiday on June 19, 2021:

- If full-time or part-time employees have a regular workday on June 19 (Saturday), they will either receive holiday time off or, if they are required to work, holiday premium pay for qualifying holiday hours on Saturday.
- For full-time employees who do not have a regular workday on June 19 (Saturday) but do have a regular workday on June 18 (Friday), the “in-lieu-of” holiday will generally be June 18 (Friday). Agencies should direct such employees to not report to work on Friday—unless the agency determines that their services are required. If employees are required to work during qualifying holiday hours, they will earn holiday premium pay.
- Some full-time employees who do not have a regular workday on June 18 (Friday) or June 19 (Saturday) may have an “in-lieu-of” holiday on June 17 (Thursday)—e.g., employees who have an Alternative Work Schedule day off on Friday. Any work such employees perform during qualifying holiday hours will generate holiday premium pay. Some of these employees may have been working a scheduled shift at the time the President signed the Act. Employing agencies may direct such employees to cease working and excuse them from duty for the remainder of the workday.<sup>2</sup>
- In rare circumstances, certain full-time employees could have a work schedule that would normally result in them having an “in-lieu-of” holiday on June 16 (Wednesday); however, because the Juneteenth National Independence Day Act was signed and took effect on June 17 (Thursday), a retroactive June 16 “in-lieu-of” holiday may not be implemented because it occurred before the Act took effect. Agencies should grant any such employees an appropriate amount of excused absence hours on their first workday after June 19.
- In rare circumstances, certain full-time employees may have an “in-lieu-of” holiday on June 20 (Sunday).
- An employee who was previously scheduled to take paid leave or other paid time off on June 19, 2021, will not be charged such leave or other paid time off for his or her scheduled workday. (This policy does not apply to employees who receive annual premium pay for standby duty under 5 U.S.C. 5545(c)(1) or to firefighters who are covered by the special pay provisions of 5 U.S.C. 5545b.)
- If an employee has an “in-lieu-of” holiday on Friday, June 18, and had a scheduled 9-hour workday under a flexible work schedule, an agency may grant 1 hour of

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<sup>2</sup> Because S. 475 does not have a specific effective date, it is effective at the beginning of the day on which it was signed.

administrative leave under these special circumstances, since the Juneteenth holiday was not established until June 17 near the end of a biweekly pay period, which did not allow the employee time to adjust his or her flexible schedule.

For general pay and leave administration guidance please refer to the following fact sheets:

- [Fact Sheet: Federal Holidays - Work Schedules and Pay](#)
- [Fact Sheet: Federal Holidays - "In Lieu Of" Determination](#)
- [Fact Sheet: Federal Holidays](#)
- [Flexible Work Schedules](#)
- [Compressed Work Schedules](#)
- [Premium Pay \(Title 5\)](#)
- [Compensation Main Page](#)

Employees of agencies not covered by title 5 authorities governing holidays and related matters (e.g., the U.S. Postal Service, the Federal Aviation Administration, and the Transportation Security Administration), as well as employees of Federal contractors should contact their supervisor (or contract officer) to obtain information on their pay and leave entitlements for the Juneteenth holiday. (Employees who submit personal inquiries will be directed to contact their agency human resources office.)

#### **Additional Information**

For additional information, agency headquarters-level human resources offices may contact OPM at [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov). Component-level human resources offices must contact their agency headquarters for assistance. Employees must contact their agency human resources offices for further information on this memorandum.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, and Human Resources Directors

Attachment:

Juneteenth National Independence Day Act