



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL
RULE**

AGENCY: Community And Technical College Education TITLE-SERIES: 135-14
RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Holidays
CITE STATUTORY AUTHORITY: §18B-1-6, §18B-1-3(h)(2)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

January 13, 2020

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Angela S Kerns -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 135
PROCEDURAL RULE
WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

SERIES 14
HOLIDAYS

§135-14-1. General.

- 1.1. Scope. -- Rule regarding holidays in the state system of higher education
- 1.2. Authority. -- W. Va. Code §18B-1-6, 18B-1-3(h)(2)
- 1.3. Filing Date. -- December 9, 2019
- 1.4. Effective Date. -- January 13, 2020

§135-14-2. Granting Power.

2.1. The West Virginia Council for Community and Technical College Education, (Council), hereby directs that the governing board or president of each institution shall determine six holidays which will be observed by the employees of that institution in addition to the six holidays specified in Section 3.1 of this rule.

§135-14-3. Number of Full Holidays.

3.1. The number of full holidays shall be twelve, plus additional days for any statewide, primary or general election. Specified holidays shall include Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, and Martin Luther King's Birthday. Six additional days determined by the governing board or president as provided in Section 2.1 shall also be taken. If a specified holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday will be observed as the legal holiday.

3.2. Proclamation of additional legal holidays by the president of the United States, governor, or other duly constituted authority may be observed by employees as determined and communicated by the president of the institution. The president of the institution may determine that any such additional legal holidays shall be observed at a future date, if operational needs of the institution require the holiday not be observed on the date proclaimed.

§135-14-4. Half Holidays.

4.1. As specified in the regulations of the division of personnel for agencies of the executive branch of state government, one-half day preceding Christmas or New Year's Day shall be a holiday when Christmas or New Year's Day falls on Tuesday, Wednesday, Thursday, or Friday.

§135-14-5. Schedules.

5.1. Holiday schedules are to be established and used on a fiscal year basis.

5.2. The president of each institution shall prepare a list of holidays to be observed at that institution for the upcoming fiscal year and shall assure that the list is posted in appropriate locations on campus including, but not limited to, the institution's website.