



United States Department of Agriculture

Departmental  
Administration

Office of the  
Assistant Secretary  
for Administration

Office of Human  
Resources  
Management

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**TO:** USDA Chief Human Capital Officers  
Mission Area Chief Operating Officers  
Staff Office Equivalents

**FROM:** Anita R. Adkins  
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Office of Human Resources Management

**SUBJECT:** OHRM Advisory 2022-003: In-Lieu of Holidays

**Purpose:**

The purpose of this advisory is to provide guidance for agencies to determine in-lieu of holidays when a Federal holiday falls on the employee's non-workday. Full-time employees are entitled to an in-lieu of holiday when a holiday falls on a non-workday. Part-time and intermittent employees are not entitled to an in-lieu of holiday.

**Clarification:**

Holidays and in-lieu of holidays must be observed on the specific days indicated below:

1. When the holiday falls on the employee's regular workday, that day is their holiday.
2. When the holiday falls on the employee's non-workday, their in-lieu of holiday is the workday immediately before the holiday. There are three exceptions to this rule:
  - a. If the holiday falls on Sunday, and Sunday is a non-workday for the employee (or, for an employee whose basic workweek includes Sunday, a non-workday designated as the employee's in-lieu of Sunday non-workday), the next workday will be the employee's designated in-lieu of holiday. (*See 5 U.S.C. 6103 and Executive Order 11582, February 11, 1971.*)
  - b. If Inauguration Day falls on a non-workday (*this only applies to employees in the Washington, DC area*), an employee may not receive an in-lieu of holiday.
  - c. The head of the agency may determine a different in-lieu of holiday if necessary to prevent an adverse agency impact. They may designate a different in-lieu of holiday for full-time employees under a compressed work schedule (CWS). The authority may be redelegated to the first Senior Executive Service (SES) member in the employee's supervisory chain. An adverse agency impact means the following: reduction of

productivity of the agency; a diminished level of service furnished to the public by the agency; or an increase in the cost of agency operations. *(See 5 U.S.C. 6103(d) and 6131(b))*

Agencies will not designate or permit employees to choose a different in-lieu of holiday.

If you have any questions about this memorandum, please contact Allen Hatcher, USDA Acting Deputy Chief Human Capital Officer, at [allen.hatcher@usda.gov](mailto:allen.hatcher@usda.gov) or at (703) 457-7760, or Lisa Swenka, Senior Human Resources Specialist, Pay and Leave Policy, at [lisa.swenka@usda.gov](mailto:lisa.swenka@usda.gov) or at (202) 731-7958. For additional information refer to the attachments.

**Attachments:**

- (1) Frequently Asked Questions
- (2) Determining Your Holiday