

**WAC 357-28-200 When must an employee receive holiday premium pay?** (1) Overtime eligible employees who are directed to work on a designated holiday as listed in chapter 357-31 WAC must receive their regular rate of pay for the holiday. In addition, employees must receive premium pay at the overtime rate for all hours worked on the holiday. The employer may offer compensatory time off in lieu of monetary payment.

(2) Overtime-exempt employees do not qualify for holiday premium pay unless the employer determines otherwise.

(3) Compensation under the provisions of this section must be in accordance with the employer's policy, as approved by the director, for the following individuals:

(a) Employees dispatched to emergency response duty under an incident command system as defined in RCW 38.52.010; and

(b) Employees of the department of corrections who are in charge of offenders assigned to assist in forest fire suppression and other emergency incidents.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-12-084, § 357-28-200, filed 5/27/05, effective 7/1/05; WSR 05-01-205, § 357-28-200, filed 12/21/04, effective 7/1/05.]