

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES**PART III - EMPLOYEES****Subpart E - Attendance and Leave****CHAPTER 61 - HOURS OF WORK****SUBCHAPTER I - GENERAL PROVISIONS****§ 6104. Holidays; daily, hourly, and piece-work basis employees**

When a regular employee as defined by section 2105 of this title or an individual employed regularly by the government of the District of Columbia, whose pay is fixed at a daily or hourly rate, or on a piece-work basis, is relieved or prevented from working on a day—

- (1) on which agencies are closed by Executive order, or, for individuals employed by the government of the District of Columbia, by order of the Mayor;
- (2) by administrative order under regulations issued by the President, or, for individuals employed by the government of the District of Columbia, by the Council of the District of Columbia; or
- (3) solely because of the occurrence of a legal public holiday under section 6103 of this title, or a day declared a holiday by Federal statute, Executive order, or, for individuals employed by the government of the District of Columbia, by order of the Mayor;

he is entitled to the same pay for that day as for a day on which an ordinary day's work is performed.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 516; Pub. L. 90–623, § 1(15), Oct. 22, 1968, 82 Stat. 1313; Pub. L. 96–54, § 2(a)(38), Aug. 14, 1979, 93 Stat. 383.)

Historical and Revision Notes

Derivation	U.S. Code	Revised Statutes and Statutes at Large
5 U.S.C. 86a.		June 29, 1938, ch. 818, § 1, 52 Stat. 1246.
		June 11, 1954, ch. 283, 68 Stat. 249.
		July 18, 1958, Pub. L. 85–533, § 2, 72 Stat. 377.

The enumeration of holidays is eliminated as unnecessary in view of section 6103.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

Amendments

1979—Pub. L. 96–54 substituted “Mayor” for “Commissioner” in pars. (1) and (3), and “Council of the District of Columbia” for “District of Columbia Council” in par. (2).

1968—Pub. L. 90–623 substituted “Commissioner” for “Board of Commissioners” in pars. (1) and (3), and “District of Columbia Council” for “Board of Commissioners” in par. (2).

Effective Date of 1979 Amendment

Amendment by Pub. L. 96–54 effective July 12, 1979, see section 2(b) of Pub. L. 96–54, set out as a note under section 305 of this title.

Effective Date of 1968 Amendment

Amendment by Pub. L. 90–623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90–623, set out as a note under section 5334 of this title.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Ex. Ord. No. 10552. Delegation of Authority To Promulgate Regulations

Ex. Ord. No. 10552, Aug. 10, 1954, 19 F.R. 5079, as amended by Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, 65 Stat. 713, it is declared that the Office of Personnel Management be, and it is hereby, designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by the joint resolution of June 29, 1938, 52 Stat. 1246, as amended by the act of June 11, 1954, 68 Stat. 249 [this section], to promulgate regulations under which certain employees of the Government may be prevented or relieved from working by administrative order.