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Ohio Clarifies that Juneteenth Is a Paid Holiday for Nonteaching Employees Who Work 11 or 12 Months Per Year

Recently, Governor Mike DeWine signed into law Senate Bill 11 impacting the paid holidays of regular nonteaching employees, pursuant to Revised Code § 3319.087. As a result of these changes, nonteaching employees employed on an 11- or 12-month basis shall now receive Juneteenth Day as a paid holiday along with New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Additionally, employees employed on a nine- or 10-month basis will now receive New Year's Day, Martin Luther King Day, Memorial Day, Labor Day, Thanksgiving Day, and Christmas Day.

Under prior law [enacted last year](#), nine- or 10-month employees received Juneteenth as a paid holiday, but 11- or 12-month employees did not (even though nine- or 10-month employees likely did not work during June). Senate Bill 11 corrected this mistake to ensure that nonteaching employees who are scheduled to work during June receive Juneteenth as a holiday.

R.C. § 3319.087 does not apply to administrative employees.

School districts are not required to provide Juneteenth as a paid holiday for their administrative employees under R.C. § 3319.087; however, they may include it as a paid holiday in the employee's contract pursuant to R.C. § 3319.02.

How should Juneteenth Day be observed?

Generally, employees should be given the Juneteenth holiday off. If a school district requires its nonteaching employees to work on any paid holiday so as to not impair the public service, the district may give compensatory time off on another day, or the Board may

establish a premium rate of pay for work performed on the holiday.

Collective bargaining agreements may supersede R.C. § 3319.087.

Because recognized holidays are part of the wages, hours, and terms and conditions of public employment, collective bargaining agreements may contain provisions that supersede Ohio law regarding which holidays must be recognized for union employees. If that is the case, the collective bargaining agreement would control. But nothing would prevent the district from providing Juneteenth as a holiday to union employees even if it is not a recognized holiday in the collective bargaining agreement.

If you have any questions about the impact of Senate Bill 11 on collective bargaining agreements and other employment contracts, please contact [Jack Hemenway](#) or [Alex Ewing](#) of Frost Brown Todd's [Government Services](#) practice group.

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