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AB-268 State holidays: Diwali. (2025-2026)

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Assembly Bill No. 268

CHAPTER 358

An act to amend Section 135 of the Code of Civil Procedure, to amend Sections 37220.7, 45203, 79020, and 88203 of the Education Code, and to amend Sections 6700, 19853, and 19853.1 of the Government Code, relating to Diwali.

[Approved by Governor October 06, 2025. Filed with Secretary of State October 06, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 268, Kalra. State holidays: Diwali.

Existing law designates specific days as holidays in this state. Existing law designates holidays on which community colleges and public schools are authorized to close pursuant to a memorandum of understanding between the governing board and represented employees, including "Native American Day" on the 4th Friday in September. Existing law entitles state employees, with specified exceptions, and authorizes certain community college and public school employees, to be given time off with pay for specified holidays, as specified.

This bill would add "Diwali" to the list of state holidays. The bill would authorize community colleges and public schools to close on "Diwali," as specified. The bill would authorize state employees to elect to take, and would authorize certain community college and public school employees to be given, time off with pay in recognition of "Diwali," as specified. The bill would authorize public schools and educational institutions throughout the state to include exercises acknowledging and celebrating the meaning and importance of Diwali, as specified.

Existing law adopts state holidays as judicial holidays, with certain exceptions, including Admission Day and Columbus Day.

This bill would add "Diwali" to the list of holidays that are excluded from designation as a judicial holiday.

This bill would make related findings and declarations.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Diwali, a festival of great significance to Indian Americans and South Asian Americans, is celebrated annually by Hindus, Sikhs, Buddhists, and Jains throughout the United States and across the globe.

(b) The word "Diwali" is a shortened version of the Sanskrit term "Deepavali," which means "a row of lamps."

(c) Diwali, one of the world's oldest continuing religious holidays, brings together families, friends, and communities here in California, the United States, and around the globe in goodwill, peace, and a shared sense of renewal.

(d) Diwali is a festival of lights during which celebrants light small oil lamps, place them around the home, and pray for health, knowledge, and peace.

(e) Hindu celebrants of Diwali believe that the rows of lamps symbolize the light of knowledge and truth within the individual that signifies the destruction of all negative qualities such as violence, anger, jealousy, ignorance, greed, fear, or suffering; Diwali celebrates the victory of good over evil.

(f) For Sikhs, Diwali coincides with Bandi Chhor Divas, meaning Day of Liberation, marking the day that the sixth founding Sikh Guru, revered teacher Guru Hargobind, was released from captivity by the Mughal Emperor Jahangir after his wrongful imprisonment.

(g) For Jains, Diwali marks the anniversary of the attainment of moksha, or liberation, by Mahavira, the last of the Tirthankaras, the great teachers of Jain Dharma, at the end of his life in 527 B.C.

(h) For Buddhists, especially Newar Buddhists, Diwali is commemorated as Ashok Vijayadashami, the day the great Emperor Ashoka embraced Buddhism as his faith.

SEC. 2. Section 135 of the Code of Civil Procedure is amended to read:

135. Every full day designated as a holiday by Section 6700 of the Government Code, including that Thursday of November declared by the President to be Thanksgiving Day, is a judicial holiday, except the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as "Lunar New Year," the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," April 24, known as "Genocide Remembrance Day," September 9, known as "Admission Day," the second Monday in October, known as "Columbus Day," and any other day appointed by the President, but not by the Governor, for a public fast, thanksgiving, or holiday. If a judicial holiday falls on a Saturday or a Sunday, the Judicial Council may designate an alternative day for observance of the holiday. Every Saturday and the day after Thanksgiving Day are judicial holidays. Officers and employees of the courts shall observe only the judicial holidays established pursuant to this section.

SEC. 3. Section 37220.7 of the Education Code is amended to read:

37220.7. (a) In addition to the holidays prescribed in Section 37220, public schools may be closed on April 24, known as "Genocide Remembrance Day," the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," and the fourth Friday in September, known as "Native American Day," if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close schools for that purpose.

(b) On the fourth Friday in September, or if schools are closed on that date as specified in subdivision (a), on an alternate day determined by the governing board, public schools and educational institutions throughout this state may include exercises, funded through existing resources, commemorating and directing attention to the many contributions that Native Americans have made to this country. The State Board of Education may adopt a model curriculum guide to be available for use by public schools for exercises related to Native American Day.

(c) On April 24, or if schools are closed on that date as specified in subdivision (a), on an alternate day determined by the governing board, public schools and educational institutions throughout this state may include exercises, funded through existing resources, remembering and honoring the many contributions that survivors of genocide have made to this country. The State Board of Education may adopt a model curriculum guide to be available for use by public schools for exercises related to Genocide Remembrance Day.

(d) On the 15th day of the month of Kartik in the Hindu lunar calendar of each year, or if schools are closed on that date as specified in subdivision (a), on an alternate day determined by the governing board, public schools and educational institutions throughout this state may include exercises, funded through existing resources, acknowledging and celebrating the meaning and importance of Diwali. The State Board of Education may adopt a model curriculum guide to be available for use by public schools for exercises related to Diwali.

SEC. 4. Section 45203 of the Education Code is amended to read:

45203. All probationary or permanent employees that are a part of the classified service shall be entitled to the following paid holidays provided they are in a paid status during any portion of the working day immediately preceding or succeeding the holiday: January 1, February 12 known as "Lincoln Day," the third Monday in February known as "Washington Day," the last

Monday in May known as "Memorial Day," July 4, the first Monday in September known as "Labor Day," November 11 known as "Veterans Day," that Thursday in November proclaimed by the President as "Thanksgiving Day," December 25, every day appointed by the President, or the Governor of this state, as provided for in paragraphs (11) and (12) of subdivision (a) of Section 37220 for a public fast, thanksgiving, or holiday, or any day declared a holiday under Section 1318 or 37222 for classified or certificated employees. School recesses during the Christmas, Easter, and mid-February periods shall not be considered holidays for classified employees who are normally required to work during that period. However, this shall not be construed as affecting vacation rights specified in this section. For purposes of this section, "appointed by the President" includes the President signing into law legislation that creates a nationwide federal holiday, including the legal public holidays listed in subsection (a) of Section 6103 of Title 5 of the United States Code, but does not include Columbus Day. This definition is declaratory of existing law.

Regular employees of the district who are not normally assigned to duty during the school holidays of December 25 and January 1 shall be paid for those two holidays provided that they were in a paid status during any portion of the working day of their normal assignment immediately preceding or succeeding the holiday period.

When a holiday listed in this section falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. When a holiday listed in this section falls on a Saturday, the preceding Friday shall be deemed to be the holiday in lieu of the day observed. When a classified employee is required to work on any of these holidays, they shall be paid compensation, or given compensating time off, for such work, in addition to the regular pay received for the holiday, at the rate of time and one-half the employee's regular rate of pay.

The provisions of Article 3 (commencing with Section 37220) of Chapter 2 of Part 22 shall not be construed to in any way limit the provisions of this section, nor shall anything in this section be construed to prohibit the governing board from adopting separate work schedules for the certificated and the classified services, or from providing holiday pay for employees who have not been in paid status on the days specified herein. Notwithstanding the adoption of separate work schedules for the certificated and the classified services, on any schoolday during which pupils would otherwise have been in attendance but are not and for which certificated personnel receive regular pay, classified personnel shall also receive regular pay whether or not they are required to report for duty that day.

In addition to the other paid holidays specified in this section, the classified service may be entitled to a paid holiday on March 31 known as "Cesar Chavez Day," a paid holiday on April 24 known as "Genocide Remembrance Day," a paid holiday on the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," and a paid holiday on the fourth Friday in September known as "Native American Day," provided they are in a paid status during any portion of the working day immediately preceding or succeeding the holiday, if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to the paid holiday.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240).

SEC. 5. Section 79020 of the Education Code is amended to read:

79020. Except as otherwise provided, the community colleges shall continue in session or close on specified holidays as follows:

(a) The community colleges shall close on January 1, the third Monday in January, commencing in the 1989–90 fiscal year, known as "Dr. Martin Luther King, Jr. Day," February 12 known as "Lincoln Day," the third Monday in February known as "Washington Day," the last Monday in May known as "Memorial Day," July 4, the first Monday in September known as "Labor Day," November 11 known as "Veterans Day," that Thursday in November proclaimed by the President as "Thanksgiving Day," and December 25.

(b) Any contractual provision between any community college district and its employees in effect on the effective date of the act that adds this subdivision shall prevail over any conflict regarding Dr. Martin Luther King, Jr. Day until the termination date of the contract or upon termination by mutual agreement of the parties, whichever occurs first.

(c) The Governor in appointing any other day for a public fast, thanksgiving, or holiday may provide whether the community colleges shall close on the day. If the Governor does not provide whether the community colleges shall close, they shall continue in session on all special or limited holidays appointed by the Governor, but shall close on all other days appointed by the Governor for a public fast, thanksgiving, or holiday.

(d) (1) The community colleges shall close on every day appointed by the President as a public fast, thanksgiving, or holiday, unless it is a special or limited holiday.

(2) For purposes of this subdivision, "appointed by the President" includes the President signing into law legislation that creates a nationwide federal holiday, including the legal public holidays listed in subsection (a) of Section 6103 of Title 5 of the United States Code, but does not include Columbus Day. This definition is declaratory of existing law.

(e) The community colleges shall continue in session on all legal holidays other than those designated by or pursuant to this section, and shall hold proper exercises commemorating the day.

(f) When any of the holidays on which the schools would be closed fall on Sunday, the community colleges shall close on the Monday following, except that (1) if Lincoln Day falls on a Sunday, the community colleges may observe this holiday on the preceding or following Friday, the following Monday, or the following Tuesday, and maintain classes on the date specified in subdivision (a) where applicable, or (2) if Lincoln Day falls on a Monday, the community colleges may observe this holiday on the preceding or following Friday, that Monday, or the following Tuesday, and maintain classes on the date specified in subdivision (a) where applicable.

(g) When any of the holidays on which the schools would be closed, except Lincoln Day, fall on Saturday, the community colleges shall close on the preceding Friday, and that Friday shall be declared a state holiday.

(h) If any holiday on which the community colleges are required to close pursuant to subdivision (a) occurs under federal law on a date different than the date specified in subdivision (a), the governing board of any community college district may close the community colleges of the district on the date recognized by federal law and maintain classes on the date specified in subdivision (a).

(i) When Veterans Day would fall on Tuesday, the governing board of a community college district may close the colleges on the preceding Monday, and maintain classes on the date specified in subdivision (a). When Veterans Day would fall on Wednesday, the governing board of a community college district may close the colleges on either the preceding Monday or the following Friday, and maintain classes on the date specified in subdivision (a). When Veterans Day would fall on Thursday, the governing board of a community college district may close the colleges on the following Friday, and maintain classes on the date specified in subdivision (a).

(j) When Lincoln Day would fall on Tuesday, the governing board of a community college district may close the colleges on the preceding Monday, the preceding Friday, or the following Friday, and maintain classes on the date specified in subdivision (a) where appropriate. When Lincoln Day would fall on Wednesday, the governing board of a community college district may close the colleges on the preceding Monday, the preceding Friday, or the following Friday, and maintain classes on the date specified in subdivision (a). When Lincoln Day would fall on Thursday, the governing board of a community college district may close the colleges on the preceding Friday or the following Friday, and maintain classes on the date specified in subdivision (a). When Lincoln Day falls on Saturday, the governing board of a community college district may close the colleges on the preceding Friday or the following Friday, and maintain classes on the date specified in subdivision (a) where appropriate.

(k) In addition to the holidays specified in subdivision (a), a community college may close on March 31, known as "Cesar Chavez Day," if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close the community college for that purpose.

(l) In addition to the holidays specified in subdivision (a), a community college may close on April 24, known as "Genocide Remembrance Day," the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," and the fourth Friday in September, known as "Native American Day," if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close the community college for that purpose.

(m) In addition to the holidays specified in subdivision (a), Glendale Community College may close on April 24, known as "Genocide Remembrance Day," if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close the community college for that purpose.

(n) Notwithstanding subdivision (a), a community college may replace closing on February 12, Lincoln Day, or the third Monday in February, Washington Day, with the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as "Lunar New Year," if the governing board of the community college district, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close the community college for that purpose. When Lunar New Year falls on another holiday, the community college shall observe Lunar New Year on a preceding or following weekday.

(o) This section shall not be interpreted as authorizing a community college district governing board to maintain community colleges in its district for a lesser number of days during the college year than the minimum established by law.

SEC. 6. Section 88203 of the Education Code is amended to read:

88203. (a) (1) All probationary or permanent employees who are part of the classified service shall be entitled to the following paid holidays if they are in a paid status during any portion of the working day immediately preceding or succeeding the holiday:

(A) January 1.

(B) February 12 known as "Lincoln Day."

(C) The third Monday in February known as "Washington Day."

(D) The last Monday in May known as "Memorial Day."

(E) July 4.

(F) The first Monday in September known as "Labor Day."

(G) November 11 known as "Veterans Day."

(H) That Thursday in November proclaimed by the President as "Thanksgiving Day."

(I) December 25.

(J) Every day appointed by the President, or the Governor of this state, as provided for in subdivisions (c) and (d) of Section 79020 for a public fast, thanksgiving, or holiday.

(K) Any day declared a holiday under Section 1318 for classified or academic employees.

(2) College recesses during the Christmas and Easter periods shall not be considered holidays for classified employees who are normally required to work during that period; provided, however, that this shall not be construed as affecting vacation rights specified in this section.

(3) For purposes of this section, "appointed by the President" includes the President signing into law legislation that creates a nationwide federal holiday, including the legal public holidays listed in subsection (a) of Section 6103 of Title 5 of the United States Code, but does not include Columbus Day. This definition is declaratory of existing law.

(b) Regular employees of the community college district who are not normally assigned to duty during the community college holidays of December 25 and January 1 shall be paid for those two holidays if they were in a paid status during any portion of the working day of their normal assignment immediately preceding or succeeding the holiday period.

(c) When a holiday listed in this section falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. When a holiday listed in this section falls on a Saturday, the preceding Friday shall be deemed to be the holiday in lieu of the day observed. When a classified employee is required to work on any of the holidays listed in this section, they shall be paid compensation, or given compensating time off, for such work, in addition to the regular pay received for the holiday, at the rate of time and one-half their regular rate of pay.

(d) Article 3 (commencing with Section 79020) of Chapter 8 of Part 48 shall not be construed to in any way limit this section, nor shall anything in this section be construed to prohibit the governing board of a community college district from adopting separate work schedules for the academic and the classified services, or from providing holiday pay for employees who have not been in paid status on the days specified in this section. Notwithstanding the adoption of separate work schedules for the academic and the classified services, on any schoolday during which students would otherwise have been in attendance, but are not and for which faculty receive regular pay, classified personnel shall also receive regular pay whether or not they are required to report for duty that day.

(e) In addition to the other paid holidays specified in this section, the classified service may be entitled to a paid holiday on March 31 known as "Cesar Chavez Day," a paid holiday on April 24 known as "Genocide Remembrance Day," a paid holiday on the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," and a paid holiday on the fourth Friday in September known as "Native American Day," if they are in a paid status during any portion of the working day immediately preceding or succeeding the holiday, if the governing board of the community college district, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to the paid holiday.

(f) In lieu of a paid holiday on February 12, Lincoln Day, or the third Monday in February, Washington Day, as specified in this section, the classified service shall be entitled to a paid holiday on the date corresponding to the Lunar New Year holiday selected pursuant to subdivision (n) of Section 79020, if they are in a paid status during any portion of the working day immediately preceding or succeeding the Lunar New Year holiday, if the governing board of the community college district, pursuant to a

memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to the replacement holiday pursuant to subdivision (n) of Section 79020.

(g) This section shall apply to community college districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060).

SEC. 7. Section 6700 of the Government Code is amended to read:

6700. (a) The holidays in this state are:

(1) Every Sunday.

(2) January 1.

(3) The third Monday in January, known as "Dr. Martin Luther King, Jr. Day."

(4) The date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as "Lunar New Year."

(5) February 12, known as "Lincoln Day."

(6) The third Monday in February.

(7) March 31, known as "Cesar Chavez Day."

(8) April 24, known as "Genocide Remembrance Day."

(9) The 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali."

(10) The last Monday in May.

(11) June 19, known as "Juneteenth."

(12) July 4.

(13) The first Monday in September.

(14) September 9, known as "Admission Day."

(15) The fourth Friday in September, known as "Native American Day."

(16) The second Monday in October, known as "Columbus Day."

(17) November 11, known as "Veterans Day."

(18) December 25.

(19) Good Friday from 12 noon until 3 p.m.

(20) (A) Every day appointed by the President or Governor for a public fast, thanksgiving, or holiday.

(B) Except for the Thursday in November appointed as Thanksgiving Day, this paragraph and paragraphs (3), (4), and (7) shall not apply to a city, county, or district unless made applicable by charter, or by ordinance or resolution of the governing body thereof.

(b) If this section is in conflict with the provisions of a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1, the memorandum of understanding shall be controlling without further legislative action, except that if those provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act.

SEC. 8. Section 19853 of the Government Code is amended to read:

19853. (a) All state employees shall be entitled to the following holidays: January 1, the third Monday in January, the third Monday in February, March 31, the last Monday in May, July 4, the first Monday in September, November 11, Thanksgiving Day, the day after Thanksgiving, December 25, the day chosen by an employee pursuant to Section 19854, and every day appointed by the Governor of this state for a public fast, thanksgiving, or holiday.

(b) If a day listed in this subdivision falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. If November 11 falls upon a Saturday, the preceding Friday shall be deemed to be the holiday in lieu of the day observed.

(c) (1) Any state employee who may be required to work on any of the holidays included in this section, and who does work on any of these holidays, shall be entitled to receive straight-time pay and eight hours of holiday credit.

(2) Notwithstanding paragraph (1), an employee who is excluded from the definition of "state employee" in subdivision (c) of Section 3513 and who is required to work on January 1, the last Monday in May, July 4, the first Monday in September, Thanksgiving Day, or December 25 shall be subject to the following:

(A) Excluded employees who are eligible for overtime payments under the federal Fair Labor Standards Act shall be paid one and one-half times their salary rate for all hours worked on the holiday and up to eight hours of holiday credit. This pay shall count toward any premium overtime compensation earned during the same workweek. Part-time employees shall receive prorated amounts subject to department rules.

(B) Excluded employees who are ineligible for overtime payments under the federal Fair Labor Standards Act shall receive up to eight hours of holiday credit and four hours of informal time off. Part-time employees shall receive prorated amounts of holiday credit and informal time off, subject to department rules.

(d) For the purpose of computing the number of hours worked, time when an employee is excused from work because of holidays, sick leave, vacation, annual leave, compensating time off, or any other leave shall not be considered as time worked by the employee for the purpose of computing cash compensation for overtime or compensating time off for overtime.

(e) Any state employee, as defined in subdivision (c) of Section 3513, may elect to receive eight hours of holiday credit for the date corresponding with the new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as "Lunar New Year," April 24, known as "Genocide Remembrance Day," the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," June 19, known as "Juneteenth," or the fourth Friday in September, known as "Native American Day," in lieu of receiving eight hours of personal holiday credit in accordance with Section 19854.

(f) Persons employed on less than a full-time basis shall receive holidays in accordance with the Department of Human Resources rules.

(g) If subdivision (a), (c), or (d) is in conflict with the provisions of a memorandum of understanding executed or amended pursuant to Section 3517.5 on or after February 1, 2009, or the date that the act adding this section takes effect, whichever is later, the memorandum of understanding shall be controlling without further legislative action, except that if those provisions of the memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act.

SEC. 9. Section 19853.1 of the Government Code is amended to read:

19853.1. (a) Notwithstanding Section 19853, this section shall apply to state employees in State Bargaining Unit 5.

(b) Except as provided in subdivision (c), all employees shall be entitled to the following holidays: January 1, the third Monday in January, the third Monday in February, March 31, the last Monday in May, July 4, the first Monday in September, November 11, the day after Thanksgiving, December 25, and every day appointed by the Governor of this state for a public fast, thanksgiving, or holiday.

If a day listed in this subdivision falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. If November 11 falls upon a Saturday, the preceding Friday shall be deemed to be the holiday in lieu of the day observed. Any employee who may be required to work on any of the holidays included in this section and who does work on any of these holidays shall be entitled to be paid compensation or given compensating time off for that work in accordance with their classification's assigned workweek group.

(c) If the provisions of subdivision (b) are in conflict with the provisions of a memorandum of understanding reached pursuant to Section 3517.5, the memorandum of understanding shall be controlling without further legislative action, except that if the provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act.

(d) Any employee who either is excluded from the definition of state employee in subdivision (c) of Section 3513, or is a nonelected officer or employee of the executive branch of government who is not a member of the civil service, is entitled to the following holidays, with pay, in addition to any official state holiday appointed by the Governor:

(1) January 1, the third Monday in January, the third Monday in February, March 31, the last Monday in May, July 4, the first Monday in September, November 11, Thanksgiving Day, the day after Thanksgiving, and December 25.

(2) When November 11 falls on a Saturday, employees shall be entitled to the preceding Friday as a holiday with pay.

(3) When a holiday, other than a personal holiday, falls on a Saturday, an employee shall, regardless of whether the employee works on the holiday, accrue only an additional eight hours of personal holiday credit per fiscal year for the holiday. The holiday credit shall be accrued on the actual date of the holiday and shall be used within the same fiscal year.

(4) When a holiday other than a personal holiday falls on Sunday, employees shall be entitled to the following Monday as a holiday with pay.

(5) Employees who are required to work on a holiday shall be entitled to pay or compensating time off for this work in accordance with their classification's assigned workweek group.

(6) Persons employed on less than a full-time basis shall receive holidays in accordance with the Department of Human Resources rules.

(e) Any employee, as defined in subdivision (c) of Section 3513, may elect to use eight hours of vacation, annual leave, or compensating time off consistent with departmental operational needs and collective bargaining agreements for the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as "Lunar New Year," April 24, known as "Genocide Remembrance Day," the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," June 19, known as "Juneteenth," and the fourth Friday in September, known as "Native American Day."

(f) This section shall become effective with regard to the March 31 holiday only when the Department of Human Resources notifies the Legislature that the language contained in this section has been agreed to by all exclusive representatives, and the Department of Human Resources authorizes this holiday to be applied to employees designated as excluded from the Ralph C. Dills Act (Chapter 10.3 (commencing with Section 3512), Division 4, Title 1), and the necessary statutes are amended to reflect this change.