

REGULATION

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| SPDOC No.: 07-14 | Effective Date: October 7, 2007 | Index Reference: Paid Holidays | Regulation Number: 5.08 |
| Issued By: Compensation | Rule Reference: Rule: 5-10 (Paid Holidays and Leave) | | Replaces: Reg. 5.08 (SPDOC 05-03, March 27, 2005) |
| Authority: Regulations are issued by the State Personnel Director under authority granted in the Michigan Constitution and the Michigan Civil Service Commission Rules. Regulations are subordinate to the Commission Rules. | | | |
| Subject: PAID HOLIDAYS | | | |

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1. PURPOSE

This regulation establishes the standards and guidelines for paid state holiday absence for career employees.

2. CIVIL SERVICE COMMISSION RULE REFERENCE

Note: This Section 2 reprints only selected Commission Rules for quick reference by the reader. Additional Rules (that are not reprinted below) may apply. The complete, current version of the Rules can be found at www.michigan.gov/mdcs.

Rule 5-10 Paid Holidays and Leave

Rule 5-10.1 Paid Holidays

A full-time career employee is allowed 8 hours paid absence from work on 12 approved state holidays in odd numbered years and 13 approved state holidays in even numbered years. A less than full-time career employee is allowed paid holiday absence in proportion to the time actually in pay status, in accordance with the regulations.

- (a) **Procedure.** *The state personnel director shall establish the appropriate dates for holiday observances and additional standards for determining employee eligibility.*
- (b) **Work on a holiday.** *An appointing authority may require an employee to work on a paid holiday. Such an employee is compensated in accordance with any applicable provisions governing compensation for overtime and shift differential.*

3. **STANDARDS**

A. State Holidays.

A career employee is allowed paid absence from work on the following days:

| <u>Day</u> | <u>Observance</u> |
|-------------------------|--|
| New Year's | January 1 |
| Martin Luther King, Jr. | The third Monday in January |
| Presidents Memorial | The third Monday in February |
| Independence | The last Monday in May |
| Labor | July 4 |
| Election Day | The first Monday in September |
| Veterans | General election day (even numbered years) |
| Thanksgiving | November 11 |
| Day After Thanksgiving | The fourth Thursday in November |
| Christmas Eve | The Friday following Thanksgiving |
| Christmas | December 24 |
| New Year's Eve | December 25 |
| | December 31 |

A career employee who regularly provides less than full-time service is allowed paid absence according to standard C.2.

B. Observance.

1. Employees have their holiday observance on the holiday itself if the holiday falls on a scheduled workday.
2. A holiday that falls on Saturday is observed on the preceding Friday. A holiday that falls on Sunday is observed on the following Monday.
 - a. When Christmas Eve or New Year's Eve falls on Friday, the holiday may be observed on the preceding Thursday. When Christmas Eve or New Year's Eve falls on Sunday, the holiday may be observed on the preceding Friday. The State Personnel Director may establish alternate observance days for these holidays before the beginning of the fiscal year.
 - b. Equivalent provisions for time off for holidays falling outside the scheduled work week shall be made for employees working other than a Monday through Friday schedule.
 - c. Holiday observance cannot be used to extend employment, unless standard C.1.c. applies.

C. Eligibility.


1. A career full-time employee, regardless of work schedule, is allowed paid holiday absence by being in full pay status on:
 - a. The holiday itself, as demonstrated by actually working on the holiday; or,
 - b. The employee's last scheduled workday immediately preceding the holiday and their first scheduled workday following the holiday when both days fall within the same biweekly work period; or,
 - c. The employee's last scheduled workday immediately preceding the holiday when the holiday occurs on or is observed on the last scheduled workday of the biweekly work period; or when the holiday occurs or is observed on the last day of the month in which the employee is retiring; or,
 - d. The employee's first scheduled workday following the holiday when the holiday occurs on or is observed on the first scheduled workday of the biweekly work period.
 - e. A newly hired employee is not allowed paid holiday absence for a holiday occurring on or observed on the first scheduled workday of the initial biweekly work period.
 - f. A continuing employee returning from layoff or leave of absence, whose first scheduled workday is the day after a holiday, is allowed paid holiday absence for the holiday.
2. A career employee working less than full-time is allowed paid holiday absence as follows:
 - a. Employees are allowed full holiday credit of 8 hours if they otherwise have been in full pay status for the pay period in which the holiday falls.
 - b. Employees not in full pay status for the pay period in which the holiday falls, are allowed proportionate holiday credit based on the average hours in pay status during the six biweekly work periods (including work periods when not in pay status) preceding the work period in which the holiday occurs.
 - (1) Career employees not in pay status during the biweekly work period when a holiday occurs are allowed proportionate holiday credit upon return from furlough.
 - (2) Newly hired employees and employees returning from a layoff or leave who have completed less than six biweekly work periods are allowed proportionate holiday credit based on the average hours in pay status since appointment or return from layoff or leave.

D. Work on a Holiday.

Payment for work on a holiday is in accordance with regulation 5.02 [Premium Payment of Overtime, On-Call Compensation, and Callback Compensation].

CONTACT

Questions regarding this regulation should be directed to Compensation, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; by telephone, at 517-335-7862 or 1-800-788-1766; or by e-mail to MDCS-Compensation@michigan.gov.

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