

# Michigan Civil Service Commission

## Regulation 5.08

<b>Subject:</b>		
<b>Paid Holidays</b>		
<b>SPDOC No.:</b>	<b>Effective Date:</b>	<b>Replaces:</b>
<del>16-06</del>	<del>January 1, 2017</del>	Reg. 5.08 (SPDOC <del>07-1416-06</del> , <del>January 1</del> <del>October 7</del> , 20 <del>0</del> <del>1</del> 7)

### 1. Purpose

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

### 2. CSC Rule References

#### *5-10 Paid Holidays and Leave*

##### *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, in accordance with § 3.C, on the following days observed in accordance with § 3.B:

Day	Observance
New Year's	January 1
Martin Luther King, Jr.	<del>The</del> third Monday in January
Presidents	<del>The</del> third Monday in February
Memorial	<del>The</del> last Monday in May

Independence	July 4
Labor	<del>The f</del> First Monday in September
Election Day	General election day (even- <del>u</del> numbered years)
Veterans	November 11
Thanksgiving	<del>The f</del> Fourth Thursday in November
Day After Thanksgiving	<del>The</del> Friday <del>following</del> <u>after</u> Thanksgiving
Christmas Eve	December 24
Christmas	December 25
New Year's Eve	December 31

~~—A career employee who regularly provides less than full-time service is allowed paid absence according to § 3.C.2.~~

#### B. Observance.

1. Employees ~~have their holiday~~ observance ~~on~~ the holiday on the holiday itself if ~~the holiday falls~~ on a scheduled workday.
2. A holiday ~~that falls~~ing on Saturday is observed ~~on~~ the preceding Friday. A holiday ~~that falls~~ing on Sunday is observed ~~on~~ the following Monday.
  - a. ~~When~~If Christmas Eve or New Year's Eve falls on Friday, the holiday ~~may be~~is observed ~~on~~ the preceding Thursday. ~~When~~If Christmas Eve or New Year's Eve falls on Sunday, the holiday ~~may be~~is observed ~~on~~ the preceding Friday. The ~~State Personnel Director~~ may establish alternate observance days for these holidays before ~~the beginning of~~ the fiscal year begins.
  - b. Equivalent provisions for time off for holidays ~~falling~~ outside the scheduled work week ~~shall be~~are made for employees working other than a Mondayto-through Friday schedule.
  - c. Holiday observance cannot be used to extend employment, unless § 3.C.1.c applies.

#### C. Eligibility.

1. A ~~career~~ full-time career 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~~ before the holiday and ~~their~~ first scheduled workday ~~following~~after the holiday when both days fall ~~within~~ the same biweekly ~~work~~pay period;~~or,~~

- c. The employee's last scheduled workday ~~immediately preceding~~ before the holiday when the holiday occurs ~~on~~ or is observed on the last scheduled workday of ~~the a~~ biweekly work-pay period; or ~~when the holiday occurs or is observed on~~ the last day of the month ~~in which~~ when the employee ~~is retiring~~; or;
  - d. The employee's first scheduled workday ~~following~~ after the holiday when the holiday occurs ~~on~~ or is observed on the first scheduled workday of ~~the a~~ biweekly work-pay period.
- e2. 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-pay period.
- f3. An ~~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.
24. A career employee working less than full-time is allowed paid holiday absence as follows:
- a. Employees are allowed full holiday credit of eight hours if ~~they~~ otherwise have been in full pay status for the pay period ~~in which~~ when the holiday falls.
  - b. Employees not in full pay status for the pay period ~~in which~~ when the holiday falls, are allowed proportionate holiday credit based on the average hours in pay status during the six biweekly work-pay periods (including work-pay periods when not in pay status) ~~preceding~~ before the work-pay period ~~in which~~ when the holiday ~~occurs~~ falls.
    - (1) Career employees not in pay status during the biweekly work-pay period when a holiday occurs are allowed proportionate holiday credit upon return from ~~furlough~~ layoff or leave.
    - (2) Newly hired employees and employees returning from a layoff or leave who have completed less than six biweekly work-pay periods are allowed proportionate holiday credit based on the average hours in pay status since appointment or return from layoff or leave.
5. A career employee on an approved alternative work schedule with a regularly scheduled workday of over eight hours that falls on a holiday's observance may use accrued annual leave for any hours beyond eight to remain in pay status for the entire workday.

**D. Work on a-Holiday.** Payment for work on a holiday is in accordance with regulation 5.02.

### **CONTACT**

Questions on this regulation may be directed to Compensation, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; by telephone at 517-241-0837 or 517-373-7618; or to [MCSC-Compensation@mi.gov](mailto:MCSC-Compensation@mi.gov).