

# 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>18-0721-06</del>	January 1, 20 <del>22</del> <sup>19</sup>	Reg. 5.08 (SPDOC <del>18-0716-06</del> , January 1, 201 <del>9</del> <sup>7</sup> )

### 1. Purpose

This regulation establishes standards 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 ~~132~~ approved state holidays in odd numbered years and ~~143~~ 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.	Third Monday in January
Presidents	Third Monday in February
Memorial	Last Monday in May
<a href="#">Juneteenth</a>	<a href="#">June 19</a>
Independence	July 4

Labor	First Monday in September
Election Day	General election day (even-numbered years)
Veterans	November 11
Thanksgiving	Fourth Thursday in November
Day After Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24
Christmas	December 25
New Year's Eve	December 31

### B. Observance.

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

### C. Eligibility.

1. A 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;
  - b. The employee's last scheduled workday before the holiday and first scheduled workday after the holiday when both days fall in the same biweekly pay period;
  - c. The employee's last scheduled workday before the holiday when the holiday occurs or is observed on the last scheduled workday of a biweekly pay period or the last scheduled work-day of the month ~~when-in which~~ the employee is retiring; or
  - d. The employee's first scheduled workday after the holiday when the holiday occurs or is observed on the first scheduled workday of a biweekly pay period.

2. A newly hired employee is not allowed paid holiday absence for a holiday occurring or observed on the first scheduled workday of the initial biweekly pay period.
3. An 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.
4. A career employee working less than full-time is allowed paid holiday absence as follows:
  - a. Employees otherwise in full pay status for the pay period when the holiday falls are allowed full holiday credit of eight hours.
  - b. Employees not in full pay status for the pay period when the holiday falls are allowed prorated holiday credit based on the average hours in pay status (1) during the six biweekly pay periods (including pay periods when not in pay status) before the pay period when the holiday falls or (2) since hire or return for employees who have completed less than six biweekly pay periods since hire 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 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; 517-241-0837 or 517-284-0102; or [MCSC-Compensation@mi.gov](mailto:MCSC-Compensation@mi.gov).