



Policy Title	<b>Holidays</b>
Effective Date	August 14, 2023
Supersedes	Policy dated March 23, 2016
Approval	 State Personnel Director
References	IC 1-1-9 IC 4-15-2.2-10 IC 34-13-9-8 31 IAC 5-8-1

## PURPOSE

To identify the legal holidays that apply to State employees and set procedures for observance and payment.

## SCOPE

This policy applies to employees in the state civil service, except Institutional Teachers at the Indiana School for the Deaf and the Indiana School for the Blind/Visually Impaired, law enforcement employees who have elected a 28-day work period in accordance with 31 IAC 5-7-8(b)

## POLICY STATEMENT

The State of Indiana, through statute, recognizes certain legal holidays for which employees will be compensated.

Only the Governor may set or change the date on which these holidays are observed.

An employee may observe a bona fide religious observance not included in the list above, provided:

- The time off is charged to compensatory time off, vacation leave, personal leave or authorized leave without pay at the employee’s choice or accommodated by flexible or an adjusted work schedule;
- The employee gives reasonable advance notice; and
- The employee’s absence does not conflict with a compelling governmental interest of the State, as set forth in IC 34-13-9-8.

## DEFINITIONS

Holiday: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Good Friday, Primary Election Day, Memorial Day, Independence Day, Labor Day, Columbus Day, General Election Day, Veterans Day, Thanksgiving Day, and Christmas Day.

Holiday Pay: Compensation for Holidays for full-time employees is 7.5 hours of compensatory time off or payment in the amount of 7.5 multiplied by the employee's base hourly rate. Part-time or hourly employees receive holiday pay or compensatory time off calculated as one-tenth of the regular biweekly hours assigned, rounded to the nearest quarter-hour.

Observed: the date to which a Legal Holiday has been set by the Governor per IC 1-1-9-2.

In Pay Status: the employee is working or using paid leave in the calendar week in which a Legal Holiday is Observed in an amount equal to or greater than the number of hours the employee is eligible for holiday pay.

## RESPONSIBILITIES

Employees are responsible for:

- working all scheduled hours and/or complying with any notice requirements for requesting use of compensatory time off and accrued or other leave benefits;
- accurately identifying hours of work, holidays, compensatory time, and leave time on the official attendance report;
- choosing payment or compensatory time off for working the day the holiday is observed; and
- requesting use of holiday compensatory time in accordance with agency policies and procedures.

Supervisors are responsible for:

- determining appropriate staffing needs for all holiday periods, including the day before, day of, and day after each Holiday is Observed;
- allowing the employee to choose either payment or compensatory time off for working on a day a Holiday is Observed; and
- not unreasonably denying an employee's request for use of the compensatory time off chosen for a Holiday.

SPD is responsible for:

- publishing the annual Holiday schedule on its website; and
- interpreting and providing guidance related to this policy.

## PROCEDURES

1. The Governor will annually set the dates Holidays are Observed.
2. Employees who are required to work on a Holiday will be compensated for the hours worked and receive Holiday Pay. An employee may elect to receive either compensation or compensatory time as Holiday Pay; however, appointing authorities may require the use of such compensatory time within the pay period in which the holiday occurs.
3. Holiday compensation is due to those employees who are In Pay Status during the calendar week in which the Holiday is Observed unless the Holiday is Observed prior to the first workday of employment or after the last workday.

4. Temporary and intermittent employees who are required to work on a date that a Holiday is Observed will receive the appropriate compensation for the hours worked but are not entitled to any additional compensation under this policy.
5. Compensation for full-time employees who are not required to work on a date that a Holiday is Observed is 7.5 multiplied by the employee's base hourly rate. Part-time or hourly employees will receive holiday pay calculated as one-tenth of the regular biweekly hours assigned, rounded to the nearest quarter-hour.
6. Accrued leave will not be charged on Holidays unless an employee chooses such usage to meet their regularly assigned work schedule of more than seven-and-one-half (7.5) hours on the date the Holiday is Observed.