

DEFINITIONS

Legal holidays are 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.

Eligible employees are defined in paragraph 3 of Procedures, below.

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, 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:

- notifying employees of the annual holiday schedule in a timely manner;
- determining appropriate staffing needs for all holiday periods, including the day before and day after each holiday;
- allowing the employee to choose either payment or compensatory time off for working the day the holiday is observed; and
- not unreasonably denying an employee's request for use of the compensatory time off chosen for a holiday.

PROCEDURES

1. The governor will annually set the dates of observance for legal holidays.
2. Compensation for holidays will be equal to one-tenth of the employee's base biweekly salary if payment is made or the number of hours equal to one-tenth of the employee's base biweekly salary, up to a maximum of 7.5 hours, if compensatory time off is provided.
3. Employees are eligible to receive compensation for holidays in the following circumstances:
 - Employee is full-time, part-time or hourly occupying a permanent position; and
 - Employee is in pay status during the calendar week in which the holiday is observed; however,
 - Employees are not eligible to receive compensation for holidays observed prior to the first work day of employment or after the last work day of employment.

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. When an employee is required to work on a date that a holiday is observed for his/her assigned operation (as stated below in paragraphs 7, 8 and 9), the employee is entitled to appropriate payment for such hours worked and, in addition, may choose to have the holiday compensation with the regular compensation for that pay period or may choose compensatory time off to be used on another date. An employee's request to use holiday-compensatory time off shall not be unreasonably denied.
6. When an eligible employee is not required to work on a date that a holiday is observed for his/her assigned operation, the employee will receive payment equal to one-tenth of his/her base biweekly salary with the regular compensation for the pay period in which the holiday is observed.
7. Eligible employees required to work on January 1, July 4, November 11 and/or December 25 will observe holidays on those calendar dates. That is, an employee required to work and who does, in fact, work on any of those dates is entitled to compensation, for each holiday worked, of one-tenth the employee's base biweekly salary if payment is chosen or the number of hours equal to one-tenth of the employee's base biweekly schedule, up to a maximum of 7.5 hours, if compensatory time off is chosen. The holiday compensation is in addition to compensation for hours worked.
8. When January 1, July 4, November 11 and/or December 25 fall on a Saturday, eligible employees whose regular work schedules are comprised of hours only on Monday through Friday will observe those holidays (New Year's Day, Independence Day, Veterans Day and/or Christmas Day) on the Friday immediately preceding each holiday.
9. When January 1, July 4, November 11 and/or December 25 fall on a Sunday, eligible employees whose regular work schedules are comprised of hours only on Monday through Friday will observe those holidays (New Year's Day, Independence Day, Veterans Day and/or Christmas Day) on the Monday immediately succeeding each holiday.
10. Accrued leave with pay or authorized leave without pay will not be charged on holidays unless an employee chooses such usage to meet his/her regularly assigned work schedule of more than 7.5 hours on the date the holiday is observed.
11. Under no circumstances shall any employee be compensated more than once for each holiday.
12. PERF and TRF rules require that an employee must choose a retirement date that is the first day of a month following the cessation of the member's service. In months where application of this holiday policy would require such employee to work into the next month in order to receive compensation for the holiday, thereby delaying his/her PERF or TRF retirement benefits, the following exception applies:
 - If an employee has notified his/her agency of his/her intent to retire at the end of a month on a date certain which coincides with his/her last regularly scheduled work day; and

- the employee is physically present at work on the day immediately preceding the holiday observance,
- then the retiring employee may receive payment for the holiday even though it is observed after his/her last day at work.

This exception applies only to retirements covered by PERF and TRF rules and does not apply to retirements not affected nor to any other separation from service.

1. An employee may observe a bona fide religious observance, consistent with the religious tenets adhered to by the employee and not included in list of legal holidays provided:
 - The time off is charged to compensatory time off, vacation leave, personal leave or authorized leave without pay at the employee's choice;
 - The employee gives two weeks advance notice; and
 - The employee's absence does not conflict with the operational needs of the state.

REFERENCES

IC 1-1-9
IC 4-15-2.2-10
31 IAC 2-11-1
Interim Rule 8-1
IC 5-10.2-4-1
IC 20-21-4-3
IC 20-22-4-3