

**SOUTH CAROLINA DEPARTMENT OF ADMINISTRATION  
HOLIDAY POLICY**

**THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

**I. Policy**

All employees of the Department of Administration, other than temporary employees, shall observe all paid legal holidays.

**II. Legal Holidays**

New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
George Washington's Birthday/President's Day	Third Monday in February
Confederate Memorial Day	May 10
National Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Day after the fourth Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
Day after Christmas	December 26

**III. Holiday Observance Procedure**

- A. Holidays are to be taken on the prescribed day unless the Department of Administration requires the employee to work. As much advance notice as possible shall be given to an employee who must work on a holiday.
- B. When a holiday falls on a Saturday or Sunday, it shall be observed on the preceding Friday or the following Monday, respectively, by employees working a Monday through Friday schedule.

Employees scheduled to work on a Saturday or Sunday that is a holiday shall observe the actual holiday or receive holiday compensatory time.

- C. Eligible employees who do not work a normal Monday through Friday workweek shall receive neither more nor any fewer numbers of holidays than those employees who work the normal Monday through Friday workweek.
- D. The length of an employee's holiday is computed based on the number of hours in the employee's average workday. To determine the number of hours in a holiday, divide the total number of hours an employee is regularly scheduled to work during a week by five (regardless of the number of days the employee actually reports to work).
- E. When a holiday falls during a period of leave with pay, the day will be counted as a holiday, not as a day of leave.
- F. Employees who are on leave without pay the day prior to the holiday(s) shall not be paid for the holiday(s) except when the employee participates in the Voluntary and Mandatory Furlough Program.
- G. Employees who participate in a compressed/flexible schedule program shall be required to use annual leave in combination with the holiday hours in order to equal the total hours scheduled to work on the holiday.
- H. Employees who work on legal holidays shall receive holiday compensatory leave credit for the hours worked not to exceed the number of holiday hours based on the employee's average workday.
- I. When a holiday falls on a day an employee who is on paid military leave would have been scheduled to work, it will be counted as a day of military leave. Holiday compensatory time will not be allowed.

#### **IV. Holiday Compensatory Time**

- A. An employee who is required by the Department of Administration to work on a holiday shall be given holiday compensatory time equal to the number of hours worked not to exceed the average workday. The holiday compensatory time is to be scheduled at the convenience of the agency within 90-days of such holiday. All employees in non-exempt positions who are unable to take the compensatory holiday within the 90-day period will be paid for the hours at the employee's straight hourly rate. Exempt employees will not be paid for holiday compensatory time. An extension of a 90-day period is an option for both exempt and non-exempt employees for an additional ninety days upon a

satisfactory justification to Office of Administrative Services-Human Resources and approval of the Agency Head or designee.

- B. An employee who must work a portion of the holiday due to a shift that begins on one day and ends on another shall be granted holiday compensatory time equal to all hours worked on the holiday.
- C. When a holiday falls between Monday and Friday, an employee who is not scheduled to work on that day will be given holiday compensatory leave credit only if such credit is necessary for the employee to receive the same number of holidays.
- D. Upon termination from employment, a non-exempt employee shall be compensated for all holiday compensatory leave credits. Exempt employees shall not be paid for unused holiday compensatory leave.

#### **V. Holiday Compensatory Leave Records**

Employees in FTE positions who work on a holiday must enter the time worked on a holiday into MySCEmployee (or complete a timesheet for selected employees) to be credited the holiday compensatory time. The time entered should reflect the number of hours worked on the holiday. When using holiday compensatory time, either MySCEmployee submission or leave request form must be completed and submitted to the employee's supervisor for approval.