



SOUTH CAROLINA DEPARTMENT OF AGRICULTURE

**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 South Carolina Department of Agriculture (SCDA), other than temporary employees, shall observe all paid legal holidays.

**II. LEGAL HOLIDAYS**

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| 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 SCDA 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 SCDA 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 SCDA Human Resources and approval of the Assistant Commissioner of the Division.
- 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.

**VI. HOLIDAY COMPENSATORY LEAVE RECORDS**

Employees in non-exempt Full-Time (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 from must be completed and submitted to the employee's supervisor for approval.