

Kansas Administrative Regulations

Department of Administration

Article 9.—Hours; Leaves; Employee-Management Relations

1-9-2. Holidays.

(a) The following days shall be legal holidays for the state service: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, and Christmas Day. When one of these legal holidays falls on a Saturday, the preceding Friday shall be the officially observed holiday for state employees. When one of these legal holidays falls on a Sunday, the following Monday shall be the officially observed holiday for state employees.

(b)(1) The governor may designate, in a particular year, additional days on which state offices are to be closed in observance of a holiday or a holiday season. For the purpose of this regulation, such a day shall be deemed a legal holiday.

(2) Each full-time employee who works a nonstandard workweek shall receive the same number of holidays in a calendar year as employees whose regular work schedule is Monday through Friday.

(3) The governor may designate a discretionary holiday for observance of a holiday or other special day without closing state services. Each eligible employee shall receive the number of hours equal to the number of hours that employee is regularly scheduled to work, for a discretionary holiday. All hours for a discretionary holiday shall be taken on the same day.

(c)(1) For each holiday, each full-time employee shall receive holiday credit equal to the number of hours regularly scheduled to work, subject to the provisions of paragraph (b)(2). "Holiday credit" means pay or credit for paid time off at a straight-time rate.

(2) Each full-time employee who is required to work on a legal holiday or on an officially observed holiday shall be awarded holiday credit in addition to any holiday compensation available under subsection (d). The appointing authority shall determine whether the holiday credit will be in the form of pay or paid time off to be used at a later time.

(d) Any appointing authority may require some or all employees to work on a legal holiday, an officially observed holiday, or both.

(1) Each full-time, nonexempt employee who is required to work on a legal holiday or on an officially observed holiday shall receive holiday compensation in addition to the employee's regular pay for the pay period. "Holiday compensation" means either pay or holiday compensatory time at a time-and-a-half rate for those hours worked on a holiday. The appointing authority shall determine whether the compensation for this holiday work will be in the form of pay or holiday compensatory time.

(2) The appointing authority shall make the following determinations for each exempt employee required to work on a holiday:

(A) Under what conditions the employee will be required to work;

(B) whether or not the employee will receive holiday pay or holiday compensatory time in addition to the employee's regular salary; and

(C) the rate at which any holiday pay or holiday compensatory time will be paid.

(3) Exempt employees shall take holiday compensatory time only in either half-day or full-day increments.

(e) Hours worked on a holiday by a nonexempt employee that result in overtime hours during that workweek or work period shall be compensated pursuant to K.A.R. 1-5-24 for those holiday hours worked on the holiday and at an additional half-time rate for the resulting overtime hours.

(f) If a legal holiday is preceded or followed by an officially observed holiday, each employee shall receive holiday credit for only one of the two days. Each full-time employee who is required to work on both the legal holiday and the officially observed holiday shall receive holiday compensation for only one of the two days. If the number of hours worked on the two days is not the same, the employee shall receive holiday compensation for the day on which the employee worked the greater number of hours.

(g) Each nonexempt employee who works less than full-time on a regular schedule shall receive, for each holiday that falls on a day included in the employee's regular work schedule, holiday credit equal to the time the employee is regularly scheduled to work on that day. If the employee works on the holiday, the employee shall receive, in addition, holiday compensation for the hours worked on the holiday.

(h) Each nonexempt employee who works less than full-time on an irregular schedule, as determined by the appointing authority, shall not receive holiday credit but shall be paid at the time-and-a-half rate for those hours worked on the holiday.

(i) An employee who is on leave without pay for any amount of time either on the last working day before a holiday or the first working day following a holiday shall not receive holiday credit, unless approved by the appointing authority.

(j) Any employee whose last day at work before separating from state service is the day before a regularly scheduled holiday shall not receive holiday credit for the holiday.

(k) This regulation shall be effective on and after June 5, 2005.

(Authorized by K.S.A. 75-3706 and K.S.A. 2004 Supp. 75-3747; implementing K.S.A. 75-3707 and 75-3746; effective May 1, 1979; amended May 1, 1985; amended Dec. 17, 1995; amended June 20, 1997; amended Oct. 1, 1999; amended June 5, 2005.)

***** Authenticated Kansas Administrative Regulation *****