



This communication is to clarify the application of State policy regarding State Holiday for *non-FLSA covered employees with Alternate Work Schedules when the Holiday falls on a day when the employee is schedule off.*

State Policy allows for the following:

Extract from the State Alternative Work Schedule Policy

11. If an approved state holiday falls on a day that a permanent full-time employee on an alternative work schedule would not be scheduled to work, the employee shall receive equivalent time (7.5 or 8.0 hours) off. Use of this equivalent time off shall require approval, as does annual leave, and must be taken in a lump sum increment within 30 working days from the date of the holiday (unless otherwise approved by the Division Director or Agency Head). An employee whose regular schedule of hours exceeds a 7.5 (or 8.0 if applicable) hour day must account for the additional hours through the use of annual leave, compensatory leave or by working the additional hours within that two-week period with prior approval. Those scheduled to work for part of the day on a state holiday will have their hours adjusted consistent with this policy. (This section does not apply to "seasonal" or "temporary employment agency" staff since they are paid only for hours actually worked).

http://hrm.omb.delaware.gov/policies/alternative_schedule.shtml

In the May 24 wildcard, option 4 was stated as:

4. Individuals whose Flex day falls on the Holiday:
 - FLSA-OT Eligible-Must flex out **within the Holiday week** (5/31-6/3).
 - Non-FLSA-Exempt-Can flex out within the pay period or would have comp time added

The corrected instructions for option 4 are:

4. Individuals whose Flex day falls on the Holiday:
 - FLSA-OT Eligible-Must flex out **within the Holiday week** (5/31-6/3).

-Non-FLSA covered (Exempt) employees will choose one of the following:

- flex out 7.5 hours within the pay period
- would have **Comp Time** added for the pay period with the holiday to be used within 30 days of the holiday. The manager must track and assure that the 7.5 hours of Comp Time within 30 days.

Below is the revised wildcard.

Monday, May 30, 2016 will be the first Holiday processed in eSTAR!

Pay Period 5/29/16-6/11/16 (Timesheets due June 14, 2016)

If employees are on an Alternative Work Schedule or a flex schedule during a Holiday Week – please follow the procedures below:

- If the employee works an Alternative Work Schedule during a pay period where a state Holiday falls, eSTAR will automatically credit employee with 7.5 hours for the Holiday.
- An adjustment will be necessary if the employee is scheduled to work more or less than 7.5 hours on the day the Holiday falls.
- The chart below shows:
 - The options allowed by [OMB's Alternative Work Schedules policy](#)
 - How options are to be handled in eSTAR.

Option	eSTAR Procedure
1. Change schedule to 7.5 hours/day for the <u>entire pay period</u> .	<ul style="list-style-type: none"> • Manager or Auditor manually adjusts the schedule tab on the employee timesheet in eSTAR. • Employee reports to work according to the revised schedule-<i>Auditor/Manager will need to temporarily change employee's schedule for pay period.</i> – Job Aid #21 – Assigning/Updating Employees Schedule
2. Request leave or use of Comp Time for any hours normally scheduled to work beyond 7.5 hours on the day of the week when the holiday falls. Used	<ul style="list-style-type: none"> • Only the Manager or Auditor can add ALT (annual leave taken) SLT (sick leave taken) or CTT (comp time taken) on the actual Holiday.

<p>when the employee will owe hours beyond the 7.5 Holiday credit</p>	
<p>3. Working additional hours in the pay period (flexing the time) – used when the employee will owe hours beyond the 7.5 Holiday credit.</p> <ul style="list-style-type: none"> • FLSA Covered (Overtime-eligible) employees may <u>not</u> work greater than 40 hours per work week. 	<ul style="list-style-type: none"> • Employee enters additional time on timesheet. • Manager approves the exception – Job Aid # 17- Exception Handling
<p>4. Individuals whose Flex day falls on the Holiday: -FLSA-OT Eligible-Must flex out within the Holiday week (5/31-6/3). -Non-FLSA covered-Exempt will choose one of the following:</p> <ul style="list-style-type: none"> ○ flex out 7.5 hours within the pay period ○ would have Comp Time added for the pay period with the holiday to be used within 30 days of the holiday. The manager must track and assure that the 7.5 hours of Comp Time within 30 days. 	<ul style="list-style-type: none"> • Manager or Auditor needs to adjust the schedule tab (<i>Add 7.5 hours to schedule on the Holiday and reduce the rest of the schedule by 7.5 hours depending on which alternative day the employee wants to take off/flex</i>). • Manager needs to notify the Auditor of approved Comp Time. • The Auditor enters the comp time – Job Aid # 10 How to Enter Comp Time as the Auditor

Additional Details for each Option:

Option 1:

- **Employee can temporarily change Alternative Work Schedule for the pay period in which the Holiday falls (5/29/16-6/11/16).** The Employee can request to work 7.5 hours daily for this pay period. The Manager or Auditor can add a temporary schedule for this pay period by following Job Aid 21.

Option 2:

- **If an Employee is scheduled to work more than 7.5 hours on the Holiday** and wishes to use Comp Time or Annual Leave for the remaining scheduled hours, the Auditor or Manager must enter the leave time on the timesheet.
Please note: the Employee will not be able to submit a Time Off Request for time on the Holiday. eSTAR will generate an error and will not save the Time Off Request.

Option 3:

- **Employees may request to flex the time out from the Holiday. If an Employee is scheduled to work greater than 7.5 hours, he or she can make up the additional hours in the same pay period.** In order to do this, the Employee will need to enter the *Additional Hours Worked* on the day that they are worked.
 - The Manager or Auditor will need to acknowledge the red level exception. Once the red level exception has been acknowledged, double check that the Results tab to be sure that the hours are correct.

Option 4:

- **If an Employee is scheduled to work less than 7.5 hours on the Holiday, a yellow level exception will appear.**
 - FLSA-OT Eligible employees **must** flex the time within the work week that the Holiday falls. In order to do this, the Manager or Auditor will need to manually adjust the schedule in the Schedule Tab to reduce the number of hours on another day in the same pay period.
 - If a FLSA covered employee is scheduled off for the Holiday, the Manager or Auditor will need to add 7.5 hours on the schedule tab on the Holiday and reduce the rest of the schedule by 7.5 hours depending on which day the employee wants to take off/flex in place of the Holiday.
 - FLSA – OT eligible employees must flex the time out within the work week because they cannot go over 40 hours in one work week.
 - Non-FLSA covered employees can either:

- flex out the time within the pay period or;
- would have **Comp Time** added for the pay period with the holiday to be used within 30 days of the holiday. The manager must track and assure that the 7.5 hours of Comp Time within 30 days

Please note: FLSA status can be viewed at the top of the timesheet in eSTAR.

- All Employees must be in paid status the scheduled day before and the scheduled day after the Holiday in order to receive Holiday pay.
- **Clocking employees** will need to clock in and work the scheduled day before and the scheduled day after the Holiday in order to receive credit for the Holiday. Please see the in the DHSS 24/7 Policies and Procedures documents found under “Tools” [here](#).

Please note: There will be an exception until the clocking employees clocks in and out on the scheduled day before and scheduled day after the Holiday.

If you have questions, please contact your local Human Resources group—

HR Office	Phone
New Castle County	302-255-9070
Kent/Sussex Regional Office	302-744-4558
DHCI	302-223-1550
Stockley Center	302-933-3000