

**LAWRENCE COUNTY RESOLUTION #2023-10
AMENDMENT #3
LAWRENCE COUNTY PERSONNEL MANUAL**

WHEREAS, the Lawrence County Commissioners have adopted the Lawrence County Personnel Manual to establish a fair system of personnel administration; and

WHEREAS, updates need to be made to the manual to ensure the fair and equitable system is updated;

THEREFORE, BE IT RESOLVED, that effective March 14, 2023 and upon favorable passage of this resolution and until otherwise revised, the following revision is hereby adopted for **ARTICLE VII HOLIDAYS** of the Lawrence County Personnel Manual.

**ARTICLE VII.
HOLIDAYS**

Permanent, regular, County employees shall be paid straight time for the following holidays not to exceed eight (8) hours per holiday. The days paid for under this Article shall be counted toward the forty (40) hour work week.

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. Memorial Day
5. Juneteenth
6. Independence Day
7. Labor Day
8. Native American Day
9. Veteran's Day
10. Thanksgiving Day
11. Day after Thanksgiving
12. Christmas Eve
13. Christmas Day

Veteran's and Memorial Days will be observed on the same day that is observed by State employees. Every day appointed by the President of the United States, the Governor of South Dakota for State employees, or the County Commissioners of Lawrence County, for a public fast, administrative leave, thanksgiving or holiday may be observed as a legal holiday.

If the holiday falls on a Sunday, Monday will be the day observed as the holiday. If the holiday falls on a Saturday, Friday will be the day observed as the holiday. **SHIFT WORKERS:** Shift workers will observe the Holiday on the actual day the Holiday falls on.

Permanent full time employees will be paid at 100% of the holiday hours granted. Permanent part-time employees will be paid for the holiday as follows: Three-quarter time ($\frac{3}{4}$) employees will be paid at the rate of 75% of the holiday hours granted. Half-time ($\frac{1}{2}$) employees will be paid at the rate of 50% of the holiday hours granted. For this section Three-quarter time

employees are employees who are approved for 30 to 39 hours of work a week. Half-time employees are employees who are approved for 20 to 29 hours of work a week. (This section applies to Holiday hours not worked.)

When, an employee physically works on a day observed as a Holiday they will be compensated at a rate of two and one-half (2½) times their base rate.

Temporary, Fill-in, Reserve, Part-time, and Seasonal employees are not eligible for holiday pay unless they actually are working on the day observed as the holiday. An employee who is off with no pay is not eligible for holiday pay.

SHIFT WORKERS: Shift workers who are required to work the holiday as part of their schedule, will receive holiday pay at the rate of two and one-half (2½) times the base rate. If the holiday falls on a shift worker regularly scheduled day off, they will be compensated an additional eight (8) hours straight time. If the shift worker is scheduled to work and takes the day off, they will be required to take appropriate leave time or no pay. **SHIFT WORKERS:** Shift workers will observe the Holiday on the actual day the Holiday falls on.

Dated this 14th day of March, 2023.

FOR THE BOARD:

Robert Ewing, Chairman

ATTEST:

Brenda McGruder, Auditor

1-5-1. Holidays enumerated.

The first day of every week, known as Sunday; the first day of January, commonly known as New Year's Day; the third Monday in January, commonly known as Martin Luther King, Jr. Day; the third Monday in February, the anniversary of the birthdays of Lincoln and Washington; the last Monday of May, commonly known as Memorial Day; the nineteenth day of June, commonly known as Juneteenth; the fourth day of July, commonly known as Independence Day; the first Monday in September, commonly known as Labor Day; the second Monday in October, commonly known as Native Americans' Day; the eleventh day of November, known as Veterans' Day; the fourth Thursday in November, commonly known as Thanksgiving Day; and the twenty-fifth day of December, commonly known as Christmas Day; and every day appointed by the President of the United States, or by the Governor of this state for a public fast, thanksgiving, or holiday shall be observed in this state as a legal holiday.

If the first day of January, the nineteenth day of June, the fourth day of July, the eleventh day of November, or the twenty-fifth day of December falls upon a Sunday, the Monday following is a legal holiday and shall be so observed; and if any such day falls upon a Saturday, the preceding Friday is a legal holiday and shall be so observed.

Source: SDC 1939, §§ 65.0404; SL 1941, ch 373; SL 1951, ch 470; SL 1953, ch 487, § 1; SL 1957, ch 498; SL 1971, ch 4; SL 1972, ch 5; SL 1974, ch 5; SL 1981, ch 2; SL 1983, ch 1, § 1; SL 1986, ch 7; SL 1990, ch 7, § 1; SL 2022, ch 1, § 1.

1-5-1.1. Martin Luther King, Jr. Day established.

The third Monday in January, to be known as Martin Luther King, Jr. Day shall be observed in this state as a legal holiday. Martin Luther King, Jr. Day is dedicated to the remembrance of Dr. Martin Luther King, Jr. and to the observance and appreciation of the various ethnic minorities who have contributed so much to the state and nation.

Source: SL 1986, ch 5; SL 1989, ch 5; SL 1990, ch 7, § 3.

1-5-1.2. Native Americans' Day established.

The second Monday in October, to be known as Native Americans' Day, shall be observed in this state as a legal holiday. Native Americans' Day is dedicated to the remembrance of the great Native American leaders who contributed so much to the history of our state.

Source: SL 1990, ch 7, § 2.

1-5-1.3. South Dakota Statehood Day established.

The second day of November, to be known as South Dakota Statehood Day, shall be observed in this state as a working holiday. South Dakota Statehood Day is dedicated to the remembrance of the anniversary of South Dakota's admittance into the union on November 2, 1889. This day will be to reflect on the history and the heritage of the state.

Source: SL 2001, ch 6, § 1.