

# PUBLICATION

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## Creating Holiday Policies for a Diverse Workforce

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**Attracting diverse talent comes with a wealth of benefits to any company but *retaining* diverse talent, each with varying backgrounds, cultures, and experiences, also comes with a challenge: how to implement policies that celebrate and promote equality among employees with infinite combinations of demographic characteristics. One policy worth noting as we approach the "holiday season" is a company's leave and/or holiday policy.**

While the government has designated certain holidays and companies may have historically followed a holiday calendar based on these government designated federal or state holidays, many employees celebrate differently than the holidays scheduled for them. For example, the phrase "the holidays" would include Christmas, Hannukah, and Kwanzaa, but not every company recognizes all of them as paid holidays as each of these holidays occurs on different days. Also, some employees celebrate the New Year on January 1 while others celebrate the New Year based on the lunar calendar, which could occur over a month later.

To balance inequity in arbitrarily designating the holidays for which employees will receive paid time off (PTO), some companies have started modifying or have modified their related policies. For example, years ago [LinkedIn](#) opted for unlimited vacation days, allowing their employees the flexibility to request time off as they desire. While this gives maximum flexibility and promotes equity and equality by allowing individual employees to designate holidays, this approach may not work in every industry or for every company. [Kickstarter](#) capped vacation at 25 days, revising its unlimited vacation policy when the policy, in practice, meant no one at the fast-paced, growing company took any time off. Another strategy is to provide designated "flex holidays" or "floating holidays" in addition to vacation and sick days employees can use as they see fit. In other words, let individuals choose the days they wish to celebrate.

When evaluating whether to modify your holiday policy, factors to consider include religious holidays your employees observe, varying cultural holidays, and even the social climate. For example, before Juneteenth became a federal holiday in June 2021, Baker Donelson created a Solidarity Action Plan and closed its offices on June 19, 2020, as a call to action for our Baker Donelson family to support, in ways most meaningful to them, the social justice movement highlighting prevalent racial inequality. Other companies replace Columbus Day with Indigenous Peoples Day and as noted above, many supplement commonly observed paid holidays through PTO policies to recognize religious holidays. These opportunities are key when working toward creating inclusive workplace climates that foster a culture of belonging.

That said, to help aid your organization, we recommend that you seek feedback from your employees regarding which holidays are important to them and whether they would like to have (and would use) flex holidays (if you do not already offer them). This could be done through a simple anonymous survey. The goal is to listen to your employees and recognize that we all need days of rest, days of service, and to feel a sense of belonging, even in our workplaces.

Ultimately, being sensitive to the social, cultural, and religious differences of your employees by creating a flexible, inclusive holiday policy not only provides better work/life balance, it also recognizes the different experiences and backgrounds of your employees and promotes equity and equality. Take the time to review

your policy and consider whether there is room for a floating holiday or even broader, more individualized holiday opportunities for your employees.