

July 23: New national non-working holiday

Insights on national and non-working holidays

As a result of the promulgation of Law No. 31788 and Law No. 31822, two new days have been included in 2023 as national holidays for the public and private sectors.

Below we will briefly comment on each of them and share an updated list of national non-working holidays that all employers must take into consideration:

1. June 7 holiday

Law No. 31788, published on June 15, 2023, amended Article 6 of Legislative Decree No. 713, which consolidates the legislation on paid leaves of the employees subject to the labor regime of the private sector.

This decree includes June 7 of every year as a new national holiday to commemorate the Battle of Arica and Flag Day, which also apply to public entities.

2. June 23 holiday

Law No. 31822, published on July 8, 2023, amended Article 4 of Law No. 16126, which declared José Abelardo Quinones Gonzales, Peruvian Air Force Captain, as a national hero, by including July 23 of every year as a new national holiday to commemorate such hero.

It should be noted that the provisions related to national non-working holidays contained in Legislative Decree No. 713 and its Regulations, approved under Supreme Decree No. 012-92-TR, will also apply to these new holidays declared for June 7 and July 23.

In that sense, the current national non-working holidays for the public and private sector are the following:

Day	Festivity
January 1	New Year's Day
To be determined every year	Maundy Thursday and Good Friday
May 1	Labor Day
June 7	Battle of Arica and Flag Day
June 29	Saint Peter and Saint Paul
July 23	Commemoration of the heroic sacrifice of Peruvian Air Force Captain José Abelardo Quinones Gonzales
July 28 and 29	Peruvian Independence
August 6	Battle of Junín
August 30	Saint Rosa of Lima
October 8	Battle of Angamos

Day	Festivity
November 1	All Saints' Day
December 8	Immaculate Conception
December 9	Battle of Ayacucho
December 25	Christmas Day

We recommend that all employers take this list into consideration to manage their activities, schedules, and work shifts, as well as to determine the remuneration to be paid to the employees who work on any of such holidays or to grant the respective time-in-lieu, if applicable.

PLEASE CONSIDER THAT

The next holiday in 2023 is July 23, which was recently declared. For such reason, the following must be taken into consideration:

- ▶ This holiday coincides with the mandatory weekly rest day (Sunday) of many employees.
- ▶ In case employees rest on that day, the employer must make a single daily payment to such employees, which will include the pay for both the rest day and the holiday.
- ▶ Otherwise (i.e., in case an employee works on that Sunday), the employer can grant time-in-lieu or a differentiated pay for the work performed (equivalent to the pay for the work performed plus a 100% surcharge).

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