



## Holidays during Covid 19

The government has announced their intention to relax the rules around holidays meaning that employees who have not taken all of their statutory annual leave entitlement due to COVID-19 will now be able to carry it over into the next 2 leave years.

The regulations will allow up to 4 weeks of unused leave to be carried into the next 2 leave years.

Further advice on the treatment of holidays is below

### Holidays & Covid-19 FAQs

**Q. Can I enforce holidays?**

A. No, if you normally allow employees to select holidays. Yes, if this is a holiday which has already been posted on your notice board, or is a normal shut down such as Easter.

**Q. Can an employee change a holiday which he has already booked?**

A. This is up to the employer, you can if you wish insist your employee receives holiday pay for a pre-booked holiday. If you allow the employee to work instead, remember they are still accruing holiday entitlement which they can take when matters return to normal.

**Q. What if employees holiday falls when they are self-isolating?**

A. If this is an already agreed shutdown, the company can pay holiday pay (which will be deemed to include SSP) and therefore reduce the holiday accrual. If it is an elected holiday by the employee, they can choose to postpone it and continue to receive SSP. In this case the employee will still accrue holiday to be taken on his return to work.

**Q. If I have "furloughed" employees, do they accrue holiday entitlement?**

A. Legal opinion is yes.

**Q. Can I stop a key worker from taking holiday at a particular time?**

A. If it is pre-booked, only by agreement.



**Q. What if an employee asks me if they can take holiday instead of being furloughed in order to achieve 100% of normal earnings.**

A. An employee must give a company two weeks' notice of a request for a holiday of 2 weeks, and the employer can refuse if they give an alternative date. However, many companies are allowing requests for holidays in these troubled times.

