

## Using holiday

In most situations, employees and workers should use their paid holiday ('statutory annual leave') in their current leave year. This is 5.6 weeks in the UK.

This is important because taking holiday helps people:

- get enough rest
- keep healthy (physically and mentally)

During the coronavirus outbreak, it may not be possible for staff to take all their holiday entitlement. They may be getting to the end of their leave year with holiday still left to take.

## 5. Carrying over holiday

The government has introduced a temporary new law to deal with coronavirus disruption.

Employees and workers can carry over up to 4 weeks' paid holiday over a 2-year period, if they cannot take holiday due to coronavirus.

For example, this could be because:

- they're self-isolating or are too sick to take holiday before the end of their leave year
- they've been temporarily sent home as there's no work ('laid off' or 'put on furlough')
- they've had to continue working and could not take paid holiday

Some employers will already have an agreement to carry over paid holiday. This law does not affect any agreements already in place.

If an employee or worker leaves their job or is dismissed during the 2-year period, any untaken paid holiday must be added to their final pay ('paid in lieu').

### **If someone is temporarily sent home because there's no work**

If someone is temporarily sent home because there's no work they'll continue to build up ('accrue') holiday in the usual way.

### **Agreeing how extra holiday is carried over**

If employers do not already have an agreement in place, they can decide whether they'll allow extra holiday (more than the 4 weeks' paid holiday) to be carried over.

Extra holiday may include:

- the remaining 1.6 weeks of statutory annual leave
- holiday that's more than the legal minimum

Employees and workers should check their employment contract or talk to their employer to find out what they're entitled to.

## Reaching an agreement

If the workplace has a recognised trade union, or there are employee representatives who work with the employer on these matters, the employer should involve them in agreeing changes.

If any agreement is made, it's a good idea for it to be in writing.

Employers should get legal advice if they're not sure whether to allow extra holiday to be carried over.

## Bank holidays

If employees and workers cannot take bank holidays off due to coronavirus, they should use the holiday at a later date in their leave year.

If this is not possible, bank holidays can be included in the 4 weeks' paid holiday that can be carried over. This holiday can be taken at any time over a 2-year period.

## Previously booked holidays

If an employee no longer wants to take time off they'd previously booked, for example because their holiday's been cancelled, their employer may still tell them to take the time off.

If the employee wants to change when they take this time off, they'll need to get agreement from their employer.

## Using holiday for a temporary workplace closure

Employers have the right to tell employees and workers when to take holiday if they need to.

An employer could, for example, shut for a week and tell everyone to use their holiday entitlement.

If the employer decides to do this, they must tell staff at least twice as many days before as the amount of days they need people to take.

For example, if they want to close for 5 days, they should tell everyone at least 10 days before.

This could affect holiday staff have already booked or planned. So employers should:

- explain clearly why they need to close
- try and resolve anyone's worries about how it will affect their holiday entitlement or plans

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