Check for updates

Nicky Ackerley BA(Hons)

Nicky is the owner of HR Support Consultancy. She has a BA(Hons) in Business Studies, is a member of the Chartered Institute of Personnel and Development and has been a practising HR manager for more than 20 years. HR Support Consultancy has provided the BVNA Members Advisory Service (formerly known as the Industrial Relations Service) since it began in 2002.

How do I calculate my holiday?

Nicky Ackerley BA(Hons)

You need to know is how much holiday you are entitled to, this should be in your contract, or your statement of terms and conditions.

The legal minimum is 5.6 weeks. Employers can include the eight UK bank holidays within your statutory holiday entitlement. Part-time workers' annual leave entitlement is proportionate to the time they normally work, so a worker who normally works three days per week is entitled to 16.8 days' (this is 3 x 5.6) annual leave.

Your employer may of course give you more holiday than the statutory minimum.

You also need to know when your holiday leave year starts – this might be the anniversary of when you started with your employer or some other date.

Leave may not normally be replaced by a payment in lieu (except on termination of employment). Some employers may allow a portion of annual leave to be carried over from one year to the next. Leave should be taken as it is to protect an employee's health, safety and welfare. Annual leave continues to accrue during maternity leave and sickness absence (although there may be a limit on leave accrued because of sickness).

Bank Holidays

Employers can insist that you take some of your paid holiday on bank holidays, and may insist that you work on bank holidays. How bank holidays are treated will depend on what is said in your contract of employment and in any policy.

Holiday Pay

You are entitled to be paid at the rate of a week's pay in respect of each week of leave.

For workers with no normal working hours, a week's pay is the average weekly pay over a 12-week period including all pay and hours worked.

Holiday pay must include any guaranteed or regular overtime or any other regular payments.

Part Days

There are no rules on how employers should deal with part days, so they could insist that a worker takes, say, 0.73 of a day's leave. However, it is usually more practical for employers simply to round up entitlements to the nearest half-day.

Restrictions

You do not have the right to determine *when* you take your annual leave. If your employer has a genuine business reason, they do not have to agree to your dates. Your employer may forbid leave at busy times of year, or to ensure there are sufficient staff in work at any one time. Your employer must allow you to take your holiday within the annual leave year. Your employer can also insist on a notice period for leave that is twice as long as the time that you have requested.

Your employer may require you to wait until you have worked enough days to build up your holiday entitlement.

If you have only been in the job one month, you may only be allowed to take one twelfth of your annual holiday allowance until you have worked longer to save up enough leave.

If you leave your job

If you leave your job you may have leave that has accrued but has not been taken. To calculate, you can work out what one twelfth of your annual holiday is, then multiply it by the number of months you have worked and subtract how much leave has already been taken. This is the amount you will be owed. Of course, if you have taken more leave that you have accrued you may owe your employer for this.

For further support with this or any other HR issue, BVNA members can call the BVNA Advisory Service Helpline on 01822 870270 or email nickyackerley@hrsupportconsultancy.co.uk.

DOI: 10.1080/17415349.2018.1442157

© 2018 British Veterinary Nursing Association (BVNA)