HOLIDAY ENTITLEMENT AND PAY DURING CORONAVIRUS
NEW GUIDANCE

Introduction

Since our Workforce Matters Issue No. 7 entitled Annual Leave and Bank Holidays During Covid-19, the government has, on 13 May 2020, issued further new guidance on this subject.

This new guidance outlines how holiday entitlement and pay operate during COVID-19. It is designed to help employers understand their legal obligations, in terms of workers who:

- Continue to work
- Have been placed on furlough as part of the government’s Coronavirus Job Retention Scheme (CJRS).

KEY POINTS TO NOTE

Employers may:

- require workers to take holiday at a particular time but must provide the required notice which is double the length of the holiday.

- cancel a period of holiday that a worker has pre-booked, the required notice to do this is the length of the planned holiday.

These notice periods can be altered by a written agreement between the employer and worker.

Furloughed workers continue to accrue statutory holiday entitlements, plus any additional holiday provided for under the employment contract.

Furloughed workers can take holiday without disrupting their furlough – the notice requirements above continue to apply – and holiday needs to be paid at 100% of normal wages.

If an employer requires a worker to take holiday while on furlough, the employer should ‘consider whether any restrictions the worker is under, such as the need to socially distance or self-isolate, would

BESA Employment Affairs will continued to publish further information as this becomes available.

Meanwhile, please visit the COVID-19 hub at www.thebesa.com or contact employment.affairs@thebesa.com for further information.