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## Moving to four weeks leave

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### Four weeks paid holidays

From 1 April 2007, all employees are entitled to at least four weeks paid annual holidays a year.

The increase from three weeks to four weeks paid holidays or leave is being introduced gradually during the 12 months from that date – it applies to different people on different dates.

An individual employee becomes entitled to four weeks paid annual holidays on the anniversary of the date they started their current job. The anniversary date has to fall after 1 April, 2007.

For example if an employee started work on the 1st of June 2006, they will be entitled to four weeks holidays on 1 June, 2007. Or if they started on the 3rd of February 2007, they will be entitled to four weeks holidays on 3 February, 2008.

For all employees who receive “pay as you go” holiday pay, the payment rises on 1 April, 2007 to 8% of their pay, up from 6%.

The right to four weeks minimum paid annual holidays applies to all workers, of all ages, in all industries. It is against the law for an employer to give less than the minimum.

### Employees who already have four or more weeks holidays

The change does not mean that employees who already get four or more weeks annual holidays will automatically get extra holidays. Whether an employee is entitled to another week over and above the new minimum requirement will depend on the wording of their employment agreement.

If that agreement says the employee is entitled to a specific number of weeks annual holiday – for example, four weeks – the employee wouldn't be entitled to any additional leave. However, some agreements talk about providing one or more “additional” weeks holiday, over and above the legal requirement.

### Employees leaving

An employee who leaves their job after 1 April 2007, and before their next anniversary date, will be entitled to:

- payment for any remaining annual holidays from previous anniversary dates at the greater of average or ordinary earnings; and
- payment at 8% of gross earnings for the period between their last anniversary date and their termination date.

An employee who leaves their job after 1 April 2007 who has not completed 12 months' work is entitled to a payment of 8% of their gross earnings since starting work.

### Examples of how four weeks annual holidays works in practice

*Sian has an entitlement date of 27 November 2007. On that date she will become entitled to:*

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- four weeks annual holidays. Sian will become entitled to a further four weeks annual holidays on each entitlement date after that.

*Ted leaves his employment on 12 May 2007 and the last date he became entitled to annual holidays was 12 April 2007. Ted would be entitled to:*

- four weeks annual holidays on 12 April 2007 and payment for any outstanding annual holidays that he has on 12 May at the greater of average or ordinary earnings; and
- payment at 8% of gross earnings for the one month period between 12 April and 12 May.

*Moana leaves her employment on 1 August 2007 and the last date she became entitled to annual holidays was 1 November 2006. Moana would be entitled to:*

- three weeks' annual holidays on 1 November 2006 and payment for any outstanding annual holidays that she has on 1 August 2007 at the greater of average or ordinary earnings;
- payment at 8% of gross earnings for the nine month period between 1 November 2006 and 1 August 2007.

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