

# Employer Services Payroll News

## STATUTORY HOLIDAY ENTITLEMENT CHANGES FROM APRIL 2009

From 1 April 2009 all employees are entitled to paid Statutory Holiday of 5.6 weeks per year. The entitlement is given from the date an employee starts work: there is no longer any minimum qualifying period of service.

During the first year of service, an employee's leave entitlement will accrue over the year. This can be done on a monthly basis or a daily basis.

The holiday year is a 12 month period which can end at any date chosen by the employer. The employer must inform all employees of the holiday year start and end dates.

Public holidays, such as Christmas Day and Spring Bank Holiday, are included within the 5.6 weeks entitlement. Employees are not entitled to all public holidays in addition to the 5.6 weeks statutory holiday.

The entitlement is due whether the employee is full time or part time, but it is pro-rated. If a worker does a five day week the entitlement is 28 days; if a worker does a three day week, the entitlement is 16.8 days. In either case, a week's leave should entitle a worker to a week away from work.

The amount of pay that an employee is entitled to is based on the normal monthly or weekly wage. Where the employee's normal working hours vary from week to week, the weekly rate of holiday pay is given by the following calculation:

$$\begin{array}{l} \text{Average hourly rate of pay} \\ \text{multiplied by} \\ \text{The average of the normal weekly working hours over the previous 12 weeks} \end{array}$$

If your holiday year runs from 1 January 2009 to 31 December 2009 then you will need to proportionally allocate holiday entitlement according to the new changes from 1 April 2009. The table overleaf enables the calculation of increased holiday entitlement for existing members of staff.



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## STATUTORY HOLIDAY ENTITLEMENT

### HOLIDAY ENTITLEMENT READY RECKONER

The table below enables the increased holiday entitlement for existing members of staff to be calculated. The statutory entitlement for a member of staff will depend on when their leave year begins: to work out the entitlement, read across the table from the start date of the leave year. For example: A member of staff whose leave year begins on 1 January 2009 will have a holiday entitlement of 5.4 weeks in the leave year. A member of staff whose leave year begins on 1 April 2009 will be entitled to the new upper limit of 5.6 weeks.

To work out the number of days your staff are entitled to, multiply the number of weeks given by the number of days usually worked (e.g. 5.6 weeks x 5 days = 28 days, 5.6 weeks x 4 days = 22.4 days)

Leave year start:	2007-08	2008-09	2009-10
1 November	4.8 weeks	5.27 weeks	5.6 weeks
1 December	4.8 weeks	5.33 weeks	5.6 weeks
	<b>2008</b>	<b>2009</b>	<b>2010</b>
1 January	4.8 weeks	5.4 weeks	5.6 weeks
	<b>2008-09</b>	<b>2009-10</b>	<b>2010</b>
1 February	4.8 weeks	5.47 weeks	5.6 weeks
1 March	4.8 weeks	5.53 weeks	5.6 weeks
1 April	4.8 weeks	5.6 weeks	5.6 weeks
1 May	4.87 weeks	5.6 weeks	5.6 weeks
1 June	4.93 weeks	5.6 weeks	5.6 weeks
1 July	5 weeks	5.6 weeks	5.6 weeks
1 August	5.07 weeks	5.6 weeks	5.6 weeks
1 September	5.13 weeks	5.6 weeks	5.6 weeks
1 October	5.2 weeks	5.6 weeks	5.6 weeks

### What Now?

If you have queries on holiday pay or any other payroll matter, please contact our payroll team in Lancaster on 01524 388719 or Preston on 01772 202640 or e-mail [payroll@mooreandsmalley.co.uk](mailto:payroll@mooreandsmalley.co.uk)

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