



Community First Yorkshire

Employee holiday and Coronavirus Job Retention Scheme

Introduction

We now know the furlough scheme has been extended until October. If your staff stay on furlough until then it will have been potentially for over 7 months. As you know they accrue holiday whilst on furlough. When is it feasible for them to take it?

Can we ask our staff to take holiday whilst on furlough leave?

We now know that you can require employees to take holiday and cancel holiday whilst on furlough leave, you just need to give the correct notice to them.

- double the length of the holiday if the employer wishes to require a worker to take holiday on particular days
- the length of the planned holiday if the employer wishes to cancel a worker's holiday or require the worker not to take holiday on particular dates

For example:

If you want them to take 2 weeks holiday you just have to give them twice the amount of notice as the number of days you want them to take so 4 weeks.

If an employee has booked 2 weeks holiday and you wish them to cancel it you need to give them 2 week's notice, it's the length of holiday they wish to take. Taking holiday does not break furlough leave.

What things do we need to consider?

If you do require an employee to take holiday while on furlough, you should consider whether any restrictions they are under, such as the need to socially distance or self-isolate, would prevent the worker from resting, relaxing and enjoying leisure time, which is the fundamental purpose of holiday.

The other thing to consider is that the government has introduced a temporary new law allowing employees and workers to carry over up to 4 weeks' paid holiday into their next 2

holiday leave years. This law applies for any holiday the employee or worker does not take because of coronavirus, for example if:

- they're self-isolating or too sick to take holiday before the end of their leave year
- they've had to continue working and could not take paid holiday
- They may also be able to carry over holiday if they've been 'furloughed' and cannot reasonably use it in their holiday year.

Future planning

The problem you and other organisations face is when you reopen the last thing you want is for staff to be taking holiday.

We would seriously suggest you think about asking employees to take holiday whilst furloughed and if they have holiday already booked during it we would suggest you insist they take it.

Also holiday is paid at 100% of their salary. However, as taking holiday does not break the furlough period, means you can continue to claim the 80% grant from the government to cover most of the cost of holiday pay, you just pay 20%.

For further advice on this please email one of our HR advisors at employment.advice@communityfirstyorkshire.org.uk