



**ONCHAN DISTRICT
COMMISSIONERS**

Aim: To ensure staff have a healthy balance between home and work life,

Annual Leave Policy and Procedure

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Policy Review - History:

Please be aware that a hard copy of this document may not be the latest available version, which is available in the Authority’s document management system, and which supersedes all previous versions.

Those to whom this policy applies are responsible for familiarising themselves periodically with the latest version and for complying with policy requirements at all times.

Effective from:	Replaces:	Originator:	Page X of Y
July 2019	New	Chief Executive	1 of 14
Management Team Approval:			
Board Ratification:		23 rd July 2019	
History or Most Recent Policy Changes – MUST BE COMPLETED			
Version:	Date:	Change:	
1	4/10/2021	Change of the number of annual leave days to be carried over from 5 to 9	

Annual Leave Policy

1. Scope

This Policy applies to all colleagues employed by Onchan District Commissioners. The term “colleague” is a collective term that includes full time, part time and fixed term/temporary workers.

2. Purpose

The purpose of this policy and procedure is to ensure that line managers and employees understand the statutory, contractual and management authority underpinning the entitlements to and procedures for managing annual leave. Procedures that are in place ensure that services are maintained, there is consistency and fairness in the management of leave and accurate records are maintained.

3. What the Law Says about Annual Leave - Key Principles

- The Annual Leave Regulations 2007 set down the minimum legal entitlement to paid annual leave, currently 4 weeks in each leave year. Employers may provide more generous contractual holidays.
- Part time workers are entitled not to be treated less favourably than full time employees. They are entitled to the same amount of annual leave, on a pro rata basis. Where necessary leave entitlement for part time employees may be calculated in hours.
- Annual leave accrues from the first day of service.
- Employers can define the times when employees can take their leave - for example a Christmas shut down, school holiday or to meet changing business requirements. Employees would be notified in advance of the start of the leave year in such cases
- There is no provision in law for a payment in lieu of annual leave not taken except when employment ends.
- The annual leave entitlement of employees leaving or joining the authority is proportionate to their completed service during that leave year.

(References: The Annual Leave Regulations 2007, Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2007, Dept of Enterprise Holidays and Holiday Pay Guidance 2019)

4. Leave

a) Annual Leave Year

The annual year leave runs from 1st April to 31st March.

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b) Public Holidays

Employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory, general and public holidays as they occur.

c) Bank Holiday Entitlements

- New Year's Day
- Good Friday
- Easter Monday
- First Monday in May
- Last Monday in May
- Senior Race Day
- Tynwald Day
- Last Monday in August
- Christmas Day
- Boxing Day

Onchan District Commissioners grant their employees two extra days holiday over the Christmas period, the timing of which shall be determined by the Chief Executive/Clerk.

d) Discretionary Leave

If additional public holidays are declared, e.g. royal occasion's specific guidance will be issued at the time.

5. Leave Entitlement

Leave allowances are set out in the employee's written statements of terms and conditions of service as determined by the relevant collective agreements and resolution of the Board. (See Appendix1)

6. Calculation of Leave Entitlement

- a)** Full time employees contracted for 37 hours per week will have leave entitlement calculated in days. Each day of leave is 7 hours and 24 minutes (7.4 hours).
- b)** Part time employees who work the same hours on the same days of the week e.g. Monday to Friday 09:30 to 16:00 will have their leave entitlement calculated in days. The value of each day's leave is 6.5 hours.
- c)** Part time employees who do not have regular pattern of work as above will have their leave entitlement calculated in hours and minutes.

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E.g. contracted hours are 30 per week = 0.80 of the full time equivalent contracted hours.

Full time annual leave entitlement in hours (21 days) =155.5 hours

$155.5 \times 0.80 = 124.5$ hours leave entitlement.

- d) The value of one day's leave for a part time employee is one fifth of their weekly contracted hours e.g. contracted hours are 30 per week; one leave day is 6 hours.
- e) Fractions of days or hours will be rounded up or down to the nearest whole or half day or hour e.g. 5.2 days rounded down to 5, 5.4 rounded up to 5.5, 5.8 rounded up to 6 whole days.
- f) Bank/public holiday entitlements for part time employees will be calculated on a pro rata basis in the same way.

7. Carrying Annual Leave Forward

- a) Employees are encouraged to take all their leave entitlement in the current leave year. Leave may be carried forward to the following leave year with the line manager's approval. (Up to a maximum of 9 days for manual and craft workers and NJC employees). Any leave not taken in excess of these maxima will be lost.
- b) Leave carried forward should be taken as soon as possible during the next annual leave year.

8. Leave on Termination of Employment

- a) In the event that an employee resigns, it is expected that any outstanding leave will be taken before the last day of employment. Payment in lieu of leave not taken will only be made in cases where the employee has been specifically prevented by management from taking the leave.
- b) If an employee has taken more annual leave than their pro rata entitlement in the final year of their employment the appropriate deduction will be made to their final salary payment.

9. Rolled up Holiday Pay

Employees engaged on a "zero hours" contract, where there is no mutuality of obligation regarding the offer and /or acceptance of work will receive rolled up holiday pay. This means that they will receive an additional hourly payment for each hour worked as holiday pay. This element of pay will be shown as a separate item on the pay slip. Any leave taken will not be paid, as payment has already been received.

10. **Sickness during Annual Leave**

If an employee falls sick during a period of annual leave and his line manager is notified immediately, provided that the period of incapacity seriously interrupts the period of leave (i.e. 4 or more days of illness) and the employee produces a self-certificate or a medical certificate to that effect the period of illness should be recorded as sick leave and not as annual leave.

11. **Procedures**

1. All employees are issued with an account and login details for use with the People HR application which will confirm annual leave entitlement for the year, including where appropriate length of service increases and any annual leave carried forward.
2. To apply for leave, the dates and number of days leave required should be submitted through People HR by the employee, your request will then be submitted to your line manager for authorisation. The application for leave must not be made less than 10 days prior to the first day of the leave requested.
3. The line manager will approve your request.
4. All approved leave **must** be recorded on the shared admin calendar.
5. Leave cannot be taken without prior approval of the line manager, and employees are advised not to make any travel arrangements until approval has been received.
6. Should the leave not be approved, the line manager will not approve your holiday request on People HR, giving at least the same amount of notice as the length of leave requested.
7. The line manager is responsible for monitoring applications for annual leave to ensure that employees use their leave entitlement throughout the year and will prompt employees to apply for leave where appropriate taking into account the maximum leave that can be carried forward from one leave year to the next.
8. Any amendments to leave applications/approvals must be approved by the line manager and recorded on the shared admin calendar.

12. **Recording Bank/Public Holiday**

1. If a bank holiday falls on a day you normally work but you are not scheduled to do so you will receive payment for your usual working hours for that day. You must deduct these hours from your bank holiday entitlement recorded on People HR and record them on your timesheet as normal working hours.
2. If the bank holiday falls on a day on which you would not normally work, then you are entitled to take your bank holiday entitlement (one fifth of your total

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normal weekly hours for each bank holiday) at another time subject to operational requirements.

3. If you are scheduled to work on a bank holiday you may choose to receive pay at plain time and take a paid day in lieu of the bank holiday at another time or receive pay at double time for the worked bank holiday. In the event that you are paid double time, the hours for the bank holiday should be recorded on People HR and deducted from the annual entitlement your request will then be submitted to your line manager for authorisation.

Appendix 1 – Leave Entitlements

NJC Employees

Length of service	Holiday entitlement (Full time basis)
On appointment	21
After 3 years	22
After 5 years	23
After 7 years	24
After 9 years	25
After 10 years	26
After 16 years	28
After 20 years	30

Manual & Craft Workers employed before 2016

Length of service	Holiday entitlement (Full time basis)
On appointment	21
After 3 years	22
After 5 years	23
After 7 years	24
After 9 years	25
After 10 years	26
After 16 years	28
After 20 years	30

Manual & Craft Workers Employed after 2016

Length of service	Holiday entitlement (Full time basis)
On appointment	21
After 3 years	22
After 5 years	23
After 7 years	24
After 9 years	25
After 10 years	26