

WR.18 ANNUAL HOLIDAYS

The Holiday Year will run from the second Monday in January each year. Operatives are entitled to twenty-one days' annual holiday with pay as follows:

18.1 The Winter Holiday shall be seven working days taken in conjunction with Christmas Day, Boxing Day and New Year's Day, to give a Winter Holiday of two calendar weeks. The Council shall publish the dates of each Winter Holiday.

18.2 The Easter (Spring) Holiday shall be the four working days immediately following Easter Monday, to give an Easter Holiday of one calendar week. It shall be open to employers and operatives to agree that all or some of the 'Winter Holiday' and/or the 'Easter (Spring) Holiday' will be taken on alternative dates.

18.3 The Summer Holiday shall be two calendar weeks, by mutual agreement not necessarily consecutive, to be granted in the "summer period" – i.e. between 1 May and 31 October.

18.4 Payment for Annual Holiday

Payment for annual holiday which shall be made on the last pay-day preceding the commencement of each holiday period shall be made at either:

18.4.1 Where the operatives pay does not vary with the amount of work done
A weeks' pay is simply the normal weekly wage for the contractual weekly hours as defined by the contract of employment.

18.4.2 Where the operatives pay varies with the amount of work done
Where earnings vary because of piece work or productivity bonus arrangements, then a weeks' pay is arrived at calculating the earnings during the normal working week as defined by the contract of employment, averaged over the 12 complete weeks worked immediately prior to the holiday week.

18.4.3 One day's pay is calculated by dividing a week's pay as defined by either WR 18.4.1 or 18.4.2 by the number of hours in the normal working week and multiplying by the normal hours in the particular day, both as defined by the contract of employment.

18.5 Leavers.

18.5.1 Operatives who leave the employment of the employer during a leave year are entitled to a compensatory payment calculated as follows:

$$(A \div 52) \times 21 - B$$

Where:

A is the number of complete weeks of service in the leave year,
B is the number of days leave taken by the operative in the leave year excluding public/bank holidays.

18.5.2 Where the number of days leave taken exceeds the operative's entitlement the employer has the right to make a deduction from payment made to the operative leaving the employment of the employer in respect of any overpayment of holiday pay. Such deduction will be calculated in accordance with WR 18.6

18.6 Amount of the compensatory payment

The operative is entitled to a compensatory payment for each day, or part of a day, of entitlement calculated by reference to the hourly rate of pay under WR18.4 multiplied by the normal contractual working hours.

18.7 General Provisions related to Annual Holiday.

Where employment commences after the start of the leave year the operative will be entitled to the proportion of the twenty-one days annual holiday equivalent to the proportion of the leave year calculated from the first week of employment to the last week of the leave year.

An operative has no entitlement to payment for holidays not taken during the holiday leave year or to carry forward entitlement to holiday from one holiday year to the subsequent holiday year.

WR.19 PUBLIC HOLIDAYS

19.1 The following are recognised as public holiday for the purpose of this agreement:

(a) England and Wales

Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, the May Day Bank Holiday, the Spring Bank Holiday, and the Summer Bank Holiday shall be recognised as public holidays in England and Wales, provided that such days are generally recognised as holidays in the locality in which the work is being done.

(b) Scotland

Christmas Day, Boxing Day, New Year's Day, Easter Monday, the first Monday in May, the Friday immediately preceding the Annual Summer Local Trades Holiday and the Friday and Monday at the Autumn Holiday, as fixed by the competent Local Authority.

(c) Local Variations

Where, in any locality, any of the above public holidays is generally worked and another day is recognised instead as a general holiday, such other day shall be recognised as the alternative holiday.

(d) Alternative Days

When Christmas Day, Boxing Day or New Year's Day falls on a Saturday or Sunday an alternative day or days of public holiday will be promulgated. Any reference in this Rule to Christmas Day, Boxing Day or New Year's Day shall be taken to apply to the alternative day so fixed.

19.2 Payment in respect of Public Holidays

Payment for days of public holiday recognised under this rule shall be made by the employer to an operative in his employment at the time of each such holiday on the pay day in respect of the payweek in which such holiday occurs, except that payment for Christmas Day, Boxing Day and New Year's Day shall be made on the last pay day before the Winter Holiday. The amount of payment for each day of public holiday shall be in accordance with WR 18.4.3.

19.3 General provisions related to payment for Public Holidays

19.3.1 The entitlement to take leave on public holidays and to receive payment for those days is subject to the operative being available for work, in accordance with Rule 17.3, on the last normal working day preceding and the first normal working day following the day or days of public holiday.

19.3.2 An operative who has completed 4 weeks in employment, but who is no longer in the employment of employer on such a public holiday shall, nevertheless, be entitled to payment in respect of such holiday if he was in the employer's employment on the last working day preceding the day or days of public holiday, but the employment was terminated by the employer (otherwise than for misconduct) before the holiday occurred. Where the holiday is Christmas Day, payment shall also be made for Boxing Day and New Year's Day. Where the holiday is Good Friday payment shall also be made for Easter Monday. Payment shall be made on termination of employment.

19.3.3 An operative who is required to work on a public or bank holiday has the option by arrangement with the employer, of an alternative day of holiday as soon thereafter as is mutually convenient, in which case the payment prescribed by this rule shall be made in respect of such alternative day instead of the public holiday. When the employment is terminated before such alternative day occurs, the operative shall receive such payment on the termination of employment.

19.3.4 There is no entitlement to payment for public holidays for an operative who has been unavailable for work, due to sickness or injury for a continuous period of ten weeks or more and who remains unavailable for work on the last working day preceding the day or days of public holiday.

19.4 Payment for Work on a Public Holiday

All hours worked on a day designated as a public holiday shall be paid for at double time.