

Construction Industry Joint Council



October 2014

Holiday Entitlement 2015

Introduction

This briefing gives guidance on the programme of Public/Bank holidays and annual holidays, which apply in England, Wales and Scotland until the New Year 2016.

The way holiday entitlement is calculated

From 2010 the way annual holiday entitlement is calculated under the CIJC Working Rule Agreement changed.

The 21 days of industry holidays plus 8 days of Public/Bank holidays has been combined into a total entitlement of 29 days. The 29 days accrue on a week by week basis at the rate of 0.558 days per week of service. The 2015 holiday year is from Monday 12th January 2015 to Sunday 10th January 2016.

Calculation of holiday entitlement for an operative who either leaves or joins during the year

To calculate accrued holiday entitlement for a leaver it will be necessary to calculate how many weeks the operative has been employed during the holiday year and multiply the number of weeks by 0.558. This will give the accrued entitlement. It is then necessary to calculate how many days of paid holiday (both industry and Public/Bank) the operative has received during the same period.

If the operative has been paid for less than the accrued entitlement then a payment in lieu of the difference must be made with the final wage. If, on the other hand, the operative has been paid for more holidays than accrued an appropriate deduction should be made from the final wage.

For an operative who joins part way through the year it is necessary to calculate the number of weeks remaining in the holiday year and multiply this by 0.558 – rounded to a whole number. This will give the total entitlement (inclusive of Public/Bank holidays) for the remainder of the year.

● Annual & Public/Bank holidays 2015 - England & Wales

The following are days to be recognised as Public/Bank holidays for purpose of the Working Rule Agreement provided that such days are generally recognised as holidays in the locality in which the work is being done.

Good Friday	- Friday 3rd April
Easter Monday	- Monday 6th April
May Bank Holiday	- Monday 4th May
Spring Bank Holiday	- Monday 25th May
Summer Bank Holiday	- Monday 31st August
Christmas Day	- Friday 25th December
Boxing Day (substitute day)	- Monday 28th December
New Year's Day	- Friday 1st January 2016

● The Easter (Spring) holiday - England & Wales

The fixed close-down during the Easter week has been discontinued releasing 4 days holiday to be taken at another time by agreement with the employer.

If the employer wishes to continue with the Easter close-down then the operatives affected should be notified at the beginning of the year. Similarly, if the employer wishes to have a close-down at some other time the operatives affected should be notified of the dates at the beginning of the holiday year.

● Summer holidays - England & Wales

The Working Rule Agreement states that the summer holiday shall be 2 calendar weeks, not necessarily consecutive, to be granted in the 'summer period'.

● Winter holiday and Associated Public/Bank holidays - England & Wales

The Working Rule Agreement states that there shall be 7 working days taken in conjunction with Christmas Day, Boxing Day and New Year's Day to give a winter holiday of 2 calendar weeks. The Winter Break in 2015 will be from normal finishing time Friday 18th December 2015 to normal starting time Monday 4 January 2016 in accordance with WR.18.1.

● Annual & Public/Bank holidays 2015 - Scotland

The following are days to be recognised as Public/Bank holidays for the purposes of the Working Rule Agreement, provided that such days are generally recognised as holidays in the locality in which the work is being done.

Easter Monday	- Monday 6th April
Early May Bank Holiday	- Monday 4th May
Friday immediately preceding the Annual Local Trades Holiday	- As fixed by the Local Authority
Friday and Monday at the Autumn Holiday	- As fixed by the Local Authority
Christmas Day	- Friday 25th December
Boxing Day (substitute day)	- Monday 28th December
New Year's Day	- Friday 1st January 2016

Members who require further information about the dates of the holidays to be fixed by a local authority should consult their local authority.

Cont'd overleaf



Holiday Entitlement 2015

● The Easter (Spring) holiday - Scotland

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If the employer wishes to continue with the Easter close-down then the operative affected should be notified at the beginning of the year. Similarly, if the employer wishes to have a close-down at some other time the operatives affected should be notified of the dates at the beginning of the holiday year.

● Summer holidays - Scotland

The Working Rule Agreement states that the summer holiday shall be 2 calendar weeks, not necessarily consecutive, to be granted in the 'summer period'.

● Winter holiday and Associated Public/Bank holidays - Scotland

The Working Rule Agreement states that there shall be 7 working days taken in conjunction with Christmas Day, Boxing Day and New Year's Day to give winter holiday of 2 calendar weeks. The Winter Break in 2015 will be from normal finishing time Friday 18th December 2015 to normal starting time Monday 4 January 2016 in accordance with WR.18.1.

Payments for holidays general

The provisions of the CIJC Working Rule Agreement provide that all holidays (annual, Public/Bank) are paid at the same rate. Where the operative's pay does not vary with the amount of work done a week's pay is simply the normal weekly wage for the contractual weekly hours as defined by the contract of employment.

Where the operative's pay varies with the amount of work done because of piece work or other productivity bonus arrangements, then a week's pay is arrived at by 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. A day's pay is calculated by dividing the week's pay as defined above by the number of hours in the normal week and multiplying it by the number of normal hours in the particular day, both as defined by the contract of employment.

Payment for work on Public/Bank holidays

All hours worked on a day designated as a Public/Bank holiday shall be paid for at double time (WR.19.4). An operative who has worked on a Public/Bank holiday should be given another paid day's holiday in lieu and not paid holiday pay for the day worked. The day in lieu should be taken by agreement between the operative and the employer.

Night-work and Shift-work

In the case of night-work or shift-work, it is customary for a holiday period to commence and finish at the start of the shifts which include the midnight proceeding or the midnight at the end of the holiday period for normal day workers.

Flexibility associated with the Winter Holiday

The Working Rule Agreement provides that all or some of the days of the winter holiday can be taken on alternative days (WR.18.1). Where it is agreed that the days should be changed the entitlement remains two weeks. By way of example, from Wednesday to Tuesday - a fortnight away, inclusive.

For further information please contact your trade association.

Trade Associations

National Federation of Builders - NFB

Tel: 08450 578160

Painting & Decorating Association - PDA

Tel: 0247 635 3776

Home Builders Federation - HBF

Tel: 020 7960 1600

Civil Engineering Contractors Association - CECA

Tel: 020 7340 0450

Scottish Building Federation - SBF

Tel: 0131 556 8866

National Federation of Roofing Contractors - NFRC

Tel: 020 7638 7663

National Access & Scaffolding Confederation - NASC

Tel: 020 7822 7400

National Association of Shopfitters - NAS

Tel: 01883 624961

UK Contractors Group - UKCG

Tel: 020 7836 6636