

Public Holiday Entitlement Policy

Compass Disability Services
Unit 11-12 Belvedere Trading Estate
Taunton TA1 1BH

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Introduction

All employees, both full and part-time, are entitled to paid leave in respect of the following public holidays in each year; New Years Day, Good Friday, Easter Monday, May Day, Spring Bank Holiday, Summer Bank Holiday, Christmas Day, Boxing Day or such days as may be substituted by law or local agreement.

This policy aims to ensure that no employee is disadvantaged because of the number of hours that they work or the days that they work.

Definitions

For the purpose of this policy a “Part-time” employee is any employee who works less than 37 hours per week.

A non-regular shift pattern refers to any employee who does not work a set shift pattern every week from Monday to Friday.

Public Holiday Entitlement Calculations

As per the Staff Handbook “Entitlement to public holidays is applied on a pro-rata basis for employees working part-time (whether or not the employee would normally work on a day on which a public holiday falls).” It is difficult to apply one calculation that does not disadvantage those working part-time or non-regular shifts and it is therefore our policy to offer two different calculation options.

Pro-rata Public Holiday Option.

8 days (Number of public holiday days)

x 7.4 hours (full time hours per day)

= 59.2 hours (full time public holiday entitlement per annum).

÷ 37 hours (full time equivalent) x number of part-time hours worked.

÷ 8 = number of hours entitlement per public holiday.

This is the number of hours that can be claimed on your timesheet for each public holiday, whether or not you usually work the day in question.

This is referred to as the “**Pro-rata Public Holiday Option**”.

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As Worked Public Holiday Option

At least four bank holidays always fall on a Monday. In some instances, employees who usually work on a Monday may find themselves disadvantaged by pro-rata public holiday calculation as they may only be able to claim fewer hours than they would usually work. In this instance they can choose to apply the “As Worked Public Holiday Option”.

For the “**As Worked Public Holiday Option**” the employee can claim for the number of hours that they would normally work on a public holiday, bearing in mind that they could not therefore make any claim for a day that they would not usually work.

Each employee must decide which option they wish to apply and will be asked to complete a “Public Holiday Allocation Agreement” when they commence their employment. The selection made will apply for the duration of that person’s employment and can only be changed if there is a change to their terms and conditions of employment.

There are some examples below to help you with your decision.

An employee who works **16** hours per week over 2 days, including a Monday but not a Friday.

The “Pro-rata Bank Holiday Option”

$8 \text{ days} \times 7.4 \text{ hours} = 59.2 \text{ hours} \div 37 \text{ hours} \times \mathbf{16 \text{ hours}}$
 $= 25.6 \text{ hours annual entitlement} \div 8 \text{ days}$
 $= 3.2 \text{ hour claim for each Bank Holiday.}$

The “As Worked Bank Holiday Option” - based on the 2009 calendar

5 Mondays $\times 8 \text{ hours worked} = 40 \text{ hours}$
3 Other days $\times 0 \text{ hours worked} = 0 \text{ hours}$
Total annual entitlement = 40 hours

In this instance the employee will be better off taking the “As Worked Bank Holiday Option”.

An employee who works 21 hours over 4 shifts Monday to Thursday only.

The “Pro-rata Bank Holiday Option”

$8 \text{ days} \times 7.4 \text{ hours} = 59.2 \text{ hours} \div 37 \text{ hours} \times \mathbf{21 \text{ hours}}$
 $= 33.6 \text{ hours annual entitlement} \div 8 \text{ days}$
 $= 4.2 \text{ hour claim for each Bank Holiday.}$

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The “As Worked Bank Holiday Option” - based on the 2009 calendar
5 Mondays x 5.25 hours worked = 26.25 hours
1 Thursday x 5.25 hours worked = 5.25 hours
2 Other days x 0 hours worked = 0 hours
Total annual entitlement = 31.5 hours

In this instance the employee will be better off taking the “Pro Rata Bank Holiday Option”

Responsibilities

Line Managers completing an induction are responsible for completing a “Public Holiday Allocations Agreement” with the employee being inducted. This must be forwarded to the Senior PA & Governance Officer for placing on file.

Any Line Manager confirming changes to the terms and conditions of any staff member’s employment must check that they are happy with their “Public Holiday Allocations Agreement” - completing a new form and forwarding to the Senior PA & Governance Officer if appropriate.

Time of in Lieu (Toil)

Where application of the Public Holiday entitlement affects an employee’s TOIL entitlement then the TOIL policy must be applied. It is therefore advised that the entitlement is used on the next working day where practical.

Policy Revisions

This policy will be reviewed every five years and amended as necessary, or earlier in accordance with any forthcoming legislation. All employees should pass suggestions or recommendations for the revision of any aspect of this policy through normal channels to the Chief Executive.

Additional information

Staff Handbook
Time of in Lieu (TOIL) Policy

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