

A right royal knees up.

These days, there are few areas of our daily lives which are not controlled by employment law. The upcoming royal wedding will mean an additional bank holiday which will fall in the week following the Easter break. But what will this mean for small business owners? Well, there will be two consecutive, 4-day weekends for those working a traditional 5-day week. Therefore employees could potentially take an 11-day break whilst only taking 3 working days' holiday.

Belinda Newton, Director of The HR Dept Exeter warns that the additional bank holiday on Friday 29th April 2011 could present employers with challenges. "There will undoubtedly be an increased number of holiday requests. Employers need to have clear policies in place so that they have sufficient staff to run the business and so those refused do not feel demotivated". This is not the only year this problem will occur. On Tuesday 5th June 2012, there will be a special bank holiday in England, Wales, Scotland and Northern Ireland for the Queen's Diamond Jubilee celebrations and so, again, there will be nine bank and public holidays in England and Wales in 2012 instead of the usual eight days.

From 1st April 2009, under the Working Time Regulations 1998, all workers are entitled to a minimum of 5.6 weeks' paid annual leave, which can include the bank holidays (equating to 28 days for a full-time worker). Part-time workers receive an equivalent entitlement, calculated on a pro-rata basis.

Contrary to popular belief, other than for bank staff, there is no statutory right for employees either to have bank or public holidays off work or to receive pay if they do not work them. There is also no statutory right to receive time and a half or double time when a bank or public holiday is worked. Any right to time off, payment for time off or extra pay or days off in lieu for bank or public holidays worked depends entirely on the terms of the employee's contract of employment. If the contract states 8 Bank and Public holidays that does not give employees the additional day contractually.

Belinda advises that “you are legally required to provide contracts of employment within two months of an employee’s start date. This must include any terms and conditions relating to entitlement to holiday, including public holidays and holiday pay.”

For further information please contact Belinda Newton at The HR Dept Exeter, 0845 863 0653, belinda.newton@hrdept.co.uk, www.hrdept.co.uk. The HR Dept Exeter specialise in advising small and medium sized businesses on all employment and HR issues.

Belinda Newton is available to comment on any of the above issues. If you require any further information please call 0845 863 0653