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### **Carrying over holidays from one holiday year to the next.**

For good operational and practical reasons, an employer and his/her employee might wish to carry over the employee's unused holiday from one holiday year to the next.

So far so good or is it? The Working Time Regulations introduced into UK employment law in 1998 are quite clear in prohibiting the 'carrying over' of statutory minimum holidays. In other words, every employee who has at least one year's service **must** take 4 weeks paid holiday in the holiday year. As the Regulations currently stand, the 4 weeks statutory entitlement to holiday can include paid bank and public holidays. Therefore, for example, if a 5-day week employee is contractually entitled to 4 weeks' holiday **and** 8 paid bank/public holidays, then if both parties agree, 8 days holiday can be carried over to the following year.

If your organisation wishes to have a policy that allows employees to carry over holidays, within the WTR rules set out above, it would be advisable to spell out the maximum holidays that can be carried over and during what period the accrued days have to be taken. If you stipulate, say, that all holidays carried over must be taken within the first three months of the new holiday year, you will avoid a situation where carried-over holiday continues to grow year on year until it reaches unmanageable proportions.

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