

Keeping control of annual leave

In the know

Airline Ryanair has recently had to cancel hundreds of flights due to a “mess-up” over pilots’ holidays. With each worker getting a minimum of 5.6 weeks’ paid leave per year, it can be difficult for employers to manage time off and still maintain effective operations. Here, we look at how employers can try to avoid a ‘Ryanair’ situation.

The ‘Ryanair’ situation

- Recently, Ryanair announced that it had to cancel thousands of flights because it did not have enough pilots to fly the aeroplanes. The problem was identified as a “mess-up” of pilots’ annual leave;
- Under the Working Time Regulations 1998, all workers are entitled to a minimum of 5.6 weeks’ paid annual leave per leave year, although many employers offer a contractual entitlement in excess of this;
- Employers must keep a tight rein on annual leave to ensure that all workers receive the correct amount and that they have the opportunity to take it whilst ensuring that an effective operation is maintained at all times to try to avoid problems similar to those experienced by Ryanair.

Annual leave policy

- In order to strike a balance between flexibility for employees to take leave and making sure minimum standards are still met, employers should consider the following points in an annual leave policy:
 - Putting in place notice periods for requesting leave e.g. a week for odd days and a month for periods of one week or more;
 - o Setting a maximum cap on how many employees can be off at one time per team/department;
 - o Designating a maximum period of leave per request e.g. no more than two weeks at one time;
 - o Allocating periods where leave cannot be taken during which all requests will be declined e.g. consistently busy

periods of the year;

- Allocating periods where leave must be taken so employees should set enough leave aside to cover this e.g. company wide shut downs over Christmas;
- Reminding employees not to make firm arrangements until their leave request has been authorised;
- Confirming whether you permit leave to be carried over and if so, how much (anything over four weeks can legally be carried over – except in the case of long-term sickness).
- Employers should also undertake reviews of leave taken/ booked at regular points throughout the year and remind employees to book leave if they have a lot left.

Croner Tips

- **Employers maintain significant control over employees’ annual leave;**
- **If a request is not made in line with notice requirements, or would breach other rules e.g. the maximum cap is already reached, employers should not be afraid to decline it;**
- **It is possible to cancel leave previously authorised, however, this may have a negative impact on employee relations. Exhaust other options and if all else fails, consider reimbursing for financial loss.**

The content of this briefing is correct at the time of publishing.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this article