

# **Bank holidays 2022: Is the Platinum Jubilee a paid holiday?**

In June, the Queen will become the first British monarch to celebrate a Platinum Jubilee after 70 years on the throne.

To mark the occasion, the late spring bank holiday in May is being moved to Thursday, June 2, with an extra bank holiday on Friday, June 3, to create a long weekend.

While Brits may expect to be given the days off as extra paid holiday, according to an employment expert, it is not necessarily the case it will happen automatically.

Chris Dobbs, an employment solicitor at law firm Frettons in Dorset, explains why.

## **Do you get holiday pay for bank holidays?**

“There is no automatic right to paid time off on bank holidays,” said Mr Dobbs.

“Under UK law, the entitlement is to 5.6 weeks or 28 days. A total of 20 days of this is required under the Working Time Regulations and the other eight represent the equivalent of the eight statutory public holidays.

“There is, however, no requirement these eight days must be the bank holidays themselves. Many businesses close on the eight bank holidays and therefore these are treated as paid holiday with staff making up any other entitlement by way of annual leave throughout the year.



Chris Dobbs is an employment solicitor at Frettons

## Do employers have to give the Jubilee bank holiday?

“This will depend on the wording of the employment contract. There are three fairly common ways of wording holiday entitlement:

- **Option 1:** “20 days paid holiday per year plus bank holidays”. This wording does not limit the bank holidays in any way and so staff with this wording would get the additional day this year either on the day itself or be entitled to it in lieu.
- **Option 2:** “20 days holiday per year plus the usual bank/public holidays in England and Wales”. Using this wording, staff are only entitled to the normal eight public holidays on top of their Working Time Regulations entitlement. This does not allow for the additional day which has been created this year as it is not a “usual” Bank Holiday and therefore staff would not be entitled to this.
- **Option 3:** “28 days holiday per annum”. This would be

assumed to be an absolute limit on the number of days to which staff are entitled per year. As it allows for at least the minimum entitlement, there would be no extra right here to the additional day.

## **What if the business closes for the day?**

“Ideally, if the workplace closes then you should consider giving staff this extra day paid as a gesture of goodwill.

“On the bank of events over the last couple of years, this is likely to be a morale booster especially during what is intended to be a period of celebration across the country (weather permitting).

“If that is not possible then staff can be required to take the day as part of their annual leave entitlement, but they must be notified of this in advance.”

## **Jubilee considerations: Advice for employers**

“It’s important the same approach is applied across the business to avoid claims of unfairness or even a risk of discriminatory treatment so make sure you:

- Don’t forget part-time staff or irregular hours staff if you decide to give the day as an additional paid day off. You should ensure they also get additional time on the pro-rata basis.
- Watch out for staff on variable hours who may end up working one day extra if close attention is not kept on their hours/days. This is especially important if most staff work during the week but variable hours staff may also work weekends.

“Employers should check contracts to work out what they can do now,” added Mr Dobbs. “Decide based on that what you want to

do. Communicate the decision to staff well in advance of the first week of June.”

## **Full list of remaining bank holidays in 2022**

Monday, May 2 – Early May bank holiday

Thursday, June 2 – Spring bank holiday

Friday, June 3 – Platinum Jubilee bank holiday

Monday, August 29 – Summer bank holiday

Monday, December 26 – Boxing Day

Tuesday, December 27 – Christmas Day (substitute day since Christmas Day itself would be a bank holiday but is due to fall on a Sunday in 2022).

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