

29th November 2023

CHRISTMAS HOLIDAYS 2023

Dear Member

The Christmas holidays will be from closing time on Thursday, 21 December 2023 to starting time on Tuesday, 2 January 2024 (4 annual leave days and 3 public holidays).

The pay arrangements for the Christmas holidays are as follows:

(a) Operatives continuously employed for at least 12 weeks up to Christmas and remaining in the employment of the company:

7 days paid leave (4 annual leave days and 3 public holidays)

TOTAL: 54 hours holiday pay

(b) Operatives continuously employed for at least 8 weeks up to Christmas and remaining in the employment of the company:

2 cesser pay periods at 13.65 hours plus 3 public holidays

TOTAL: 51.3 hours holiday pay

(c) Operatives continuously employed for 4 weeks or less up to Christmas who have worked at least 117 hours and who are remaining in the employment of the company:

1 cesser pay period at 13.65 hours plus 3 public holidays

TOTAL: 37.65 hours holiday pay

(d) Operatives leaving the company or being dismissed will be entitled to 13.65 hours holiday pay for each 4 week period in which they have worked at least 117 hours, plus 13.65 hours holiday pay for any remaining period of less than 4 weeks in which at least 117 hours have been worked, less any annual leave paid since August 2023.

(e) Operatives who commenced employment within four weeks of Christmas and who have not worked at least 117 hours, or operatives leaving the company or being dismissed who have not worked at least 117 hours, will be entitled to 8.4% of the hours they have worked.

(f) In addition to annual leave, operatives leaving the company or being dismissed at the time of the holidays and who have worked at any time during the four weeks prior to the 21st of December 2023 will be entitled to payment for 2 public holidays i.e. 16 hours.

(g) All full-time employees returning to work after the Christmas holidays will be entitled to payment for the 3 public holidays, regardless of the number of hours worked prior to Christmas.

(h) For workers who are not on a time rate or fixed wage (e.g. piece work), holiday pay is based on average earnings in the previous 13 weeks. The total earnings (excluding overtime) in the 13 weeks prior to the annual leave, divided by 13 and divided again by 39 gives the average hourly rate to be used for holiday pay. For those workers who have been with the firm for less than 13 weeks, divide the total earnings (excluding overtime) by the number of weeks employed and divide again by 39 to get an average hourly rate.

(i) Full-time employees absent from work immediately before the holidays will be entitled to payment for the public holidays unless the absence is:

(i) in excess of 52 consecutive weeks by reason of an occupational injury,

(ii) in excess of 26 consecutive weeks by reason of illness or injury,

(iii) in excess of 13 consecutive weeks authorised by the employer including temporary lay-off,

(iv) an absence by reason of strike.

(v) Where travelling allowances are being paid, operatives will be entitled to have included in their holiday pay the travelling allowance they are in receipt of at the time of the holidays.

Operatives being cesser paid will be entitled to have their travelling allowance included on a pro rata basis.

Please note that workers who were absent on certified sick leave but who returned to work some time before the Christmas holidays must be regarded as having been at work for the purposes of calculating annual leave i.e. where an employee was absent from work on certified sick leave, that employee will be deemed to have been at work and performing his/her duties during the period of certified sick leave.

Additionally, a day which would be regarded as a day of annual leave shall not be regarded as a day of annual leave where the employee concerned is certified sick on that day. Please note, therefore, that where an employer is aware that an employee will be on certified sick leave over the holidays, that worker will be entitled to pay for the public holidays only in accordance with section (h) above. This will affect employees on long term sick leave in particular and on their return to work these workers will be entitled to take their accrued annual leave within 15 months of the end of the leave year.

Workers on temporary lay-off do not accrue an entitlement to annual leave, however, they are entitled to pay for any public holiday that falls within the first 13 weeks of temporary lay-off.

If you have any queries in connection with the above, please contact the Industrial Relations Department. This circular is also available in the Industrial Relations section of the CIF website at www.cif.ie.

Yours faithfully,



Michelle Tully

Executive
Industrial Relations & Employment Service