

Erratum for the BIIAB Level 2 Introduction to Licensed Retail Operations

**Amendments required to the
Module 5, Employment Law Handbook
Version 3 for inclusion in Version 4**

**These changes will be reflected in the assessment for this qualification from
Wednesday 14th May 2008.**

Page	Section	Details of change (changed text is in <i>italics</i>)		
25	15	Rest periods		
		The other basic points of the work time regulations are:		
			Adults	Adolescents
		Working day longer than 6 hours	20 minute break	
		Working longer than four and a half hours		30 minute break
		Rest periods in 24 hour period	11 hours continuous rest Split shift workers and staff changing shift can be excluded	12 hours continuous rest
		Weekly rest periods	One day off (can be averaged as two days per fortnight)	Two days off (cannot be averaged over two weeks)
	Paid annual leave, this can include public/bank holidays	<i>4.8 weeks</i>	<i>4.8 weeks</i>	
26	15	Calculating holiday entitlement		
		One week's leave is the equivalent to the time a worker works each week. This may be calculated in hours if the worker works irregular hours.		

Examples:

Hours worked:

Monday 3 hours

Tuesday 4 hours

Friday 4 hours

= 11 hours x 4.8 weeks

= 52.8 hours entitlement annually

Monday – Friday 8 hours each day

= 5 days x 4.8

= 24 days entitlement

Where the hours vary each week, an average should be taken for the previous 12 weeks. This should then be *multiplied by 4.8*.

All staff must take paid leave and cannot be allowed to take money in lieu. The only exception is when they leave employment and holiday entitlement has not been taken.

Payment for annual leave is at the employee's normal rate of pay. If their rate of pay varies then an average of the previous 12 weeks is taken.

Holiday year

If there is no holiday year defined in the Contract of Employment, 1st October will be used for all current staff employed in, or before October 1998. For all staff joining after October 1998, their holiday year begins on the anniversary of the day they started.

Public holidays

Public holidays can be included in an employees' minimum holiday entitlement of 4.8 weeks paid leave annually *this will increase to 5.6 weeks from 1st April 2009, pro rata for those working part-time*. Alternatively public holidays can be paid or unpaid holidays in addition to the minimum annual leave entitlement.

Whichever option is taken must be applied equally to full time and part time employees. This means that if full time employees receive a days' pay for a bank holiday, then part time employees should receive a pro rata days' pay for the bank holiday.

It is always advisable to check the up to date entitlement using: www.dti.gov.uk/employment/holidays/index.html