

Bank holidays and Christmas

Whether a worker has to work on bank holidays is up to their employer. It might depend on the industry they work in. For example, restaurants and hotels might be more likely to be open on bank holidays.

A bank holiday might fall on a day that a worker does not usually work.

Employers should:

- tell workers the organisation's rules for bank holidays – especially if they're new, or they're changing from full-time work to part-time or shift work
- regularly discuss with workers how upcoming business closures or busy periods might affect holidays they plan to take

Check which days are [bank holidays on GOV.UK](#).

Checking if bank holidays are included in holiday entitlement

An employer can include bank holidays in the statutory minimum 5.6 weeks' paid holiday. Some employers might give bank holidays in addition to the statutory minimum.

This is the same for full-time and part-time workers.

Workers should check their employment contract to find out if bank holidays are included in their statutory paid holiday entitlement.

For leave years running from 1 April to 31 March, the number of bank holidays can change. This depends on when Easter is each year.

Employers should regularly check that workers are getting their full holiday entitlement. They should remind workers of their entitlement and how to use it.

In some circumstances, extra bank holidays are announced. Whether a worker is entitled to the extra days off will depend on their contract.

If an employer changes when they open or close

An employer has the right to make changes to when workers take holiday if they need to.

For example, they can decide to shut over Christmas and tell their workers to use some of their holiday entitlement. This is the case even if in previous years the business was open over Christmas.

If an employer needs workers to take holiday, they should tell them at least twice as many days before as the amount of days they need them to take. This is calendar days, not working days.

For example, if they need workers to take 2 days of holiday, they should tell them at least 4 days before.

Changing terms in a contract

Before making a change to the way workers take holidays, an employer should check their employment contracts. They should consider whether any terms have been implied by [custom and practice](#).

If an employer is making significant, long-term changes they must follow the process for changing an employment contract. For example, if they're changing the number of holiday days workers get.

[Find out more about changing an employment contract](#)

Bank holidays on days someone usually works

Employers can make workers take a bank holiday as part of their holiday entitlement if:

- the bank holiday falls on a day they usually work
- the workplace is shut or business stops on that day

The employer must either:

- make this clear in the employment contract
- give the workers notice that the day needs to be taken as part of their holiday entitlement

If someone wants to work on a bank holiday

A worker might not want to take the day off on a bank holiday.

They could ask their employer if they can work the bank holiday and take another day off instead.

This is taking a day's holiday 'in lieu'. The employer does not have to agree to this.

A worker cannot get paid in lieu of bank holidays. This is unless they're part of holiday entitlement they have not used when they leave their job.

If someone works on a bank holiday, they must still get their full 5.6 weeks of statutory holiday entitlement as paid time off.

Bank holidays on days a worker does not usually work

A bank holiday might be on a day a worker does not usually work. For example, if someone works part time and does not work on Mondays.

In this situation, the employer cannot make them use that day as part of their holiday entitlement.

Example of bank holidays falling on non-working days

Ali works 3 days a week, including Mondays. Jo also works 3 days a week but does not work on Mondays.

They both get the statutory 5.6 weeks of holiday. This includes bank holidays. They both get 16.8 days' holiday per year. Their employer closes the business on bank holidays.

As more bank holidays fall on a Monday, Ali has to use more of their holiday entitlement for bank holidays than Jo.

Bank holidays when off sick or on statutory leave

If they're included in their holiday entitlement, paid days off for bank holidays will still build up if someone is on:

- sick leave
- maternity leave
- paternity leave
- adoption leave
- shared parental leave
- ordinary parental leave
- neonatal care leave
- parental bereavement leave
- carer's leave

[Find out more about holiday when on statutory leave or off sick](#)

Contact the Acas helpline

If you have any questions about bank holidays and Christmas, you can [contact the Acas helpline](#).