

Other leave and sickness

Irregular hours workers and part-year workers still 'accrue' (build up) holiday when they're off sick or on statutory leave.

An irregular hours worker or part-year worker will only be entitled to statutory leave if they're [legally classed as an employee](#).

Statutory leave includes:

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

A worker cannot take holiday while they're on statutory leave.

Leave years that started on or after 1 April 2024

For leave years that started on or after 1 April 2024, a calculation method has been introduced. This is to help employers work out how much leave irregular hours workers and part-year workers accrue when they're off sick or on statutory leave.

To work out how much holiday someone has accrued, the employer should follow 3 steps to:

- look at the 52-week reference period, known as the 'relevant period'
- work out average hours worked
- apply the 12.07% accrual rate

The relevant period

First, the employer should look at the 52 weeks before the day the worker starts their sick leave or statutory leave.

If a worker has not been employed for 52 weeks, their employer should look at how many weeks they've been employed for.

The employer cannot include weeks the worker was off sick or on statutory leave in the 52 weeks. They must include weeks that the worker did not work for any other reason.

If necessary, the employer can look at hours the worker worked over the previous 104 weeks, but no further.

Average hours worked

The employer should work out the average number of hours the worker worked per week in the 52 week relevant period.

Applying the 12.07% accrual rate

Finally, the employer should work out 12.07% of the average weekly hours.

This will give the number of hours of holiday the worker will accrue each week when they're on sick leave or statutory leave.

Example of working out holiday when on statutory leave

Sam takes 2 weeks' paternity leave, starting on 1 July. They worked on average 16 hours a week in the 52 weeks before they started paternity leave. Sam will accrue 4 hours of holiday while they are on paternity leave. This is 12.07% of 16 hours, multiplied by the number of weeks Sam is on paternity leave. The number of hours is rounded up to 4.

Leave years that started on or before 31 March 2024

For workers whose leave years began on or before 31 March 2024, the law does not give a way to work out how much holiday they accrue when off sick or on statutory leave.

However, these workers still accrue holiday when they're off sick or on statutory leave.

Employers should use a fair and reasonable way to work out how much holiday a worker accrues when off sick or on statutory leave.

Get more advice and support

If you have any questions about holiday for irregular hours workers and part-year workers you can:

- [contact the Acas helpline](#)
- [read about holiday pay and entitlement reforms on GOV.UK](#)

You can also find advice for all workers on:

- [asking for and taking holiday](#)
- [bank holidays and Christmas](#)