

1. About this document

The following is the proposed interim policy position on annual leave for specific scenarios as a result of the Covid-19 pandemic. These arrangements will be subject to periodic review and do not set a precedent for future arrangements following the pandemic.

- Advice and guidance
Any questions regarding this policy paper should be directed to your HR Business Partner in the first instance.

Advice and guidance on all other matters regarding the Government's response to coronavirus (Covid-19) is on www.gov.je

<https://www.gov.je/health/coronavirus/Pages/index.aspx>

You are advised to check for daily updates in relation to your work through our dedicated webpages for employees www.gov.je/employees

- Contacting us
If you have a question about how to apply a policy, contact your HR Business Partner in the first instance or email questions to peopleservices@gov.je
- Exceptions
There should be no exceptions to this policy. In the unlikely event that there is a need to consider an exception, this must be referred to your Director General or their delegate in the first instance. A Director General before implementing must refer the request through the department HR Business Partner to the Reward Team for approval.

2. Underlying principles

While there are demands across a number of services, and flexibility from those who would normally work during term-time only, we have a duty of care to all employees. The sustained period of our response to the Covid-19 outbreak means that we must ensure that colleagues are rested and have regular breaks from intensified work.

The underlying principles are as follows, and the details are outlined further in this paper.

- We appreciate that these are highly unusual times and employees are working long hours. The wellbeing of our employees is of the utmost importance and we would encourage employees to take their annual leave entitlement by the end of 2020 unless agreed in advance by the end of November 2020.
- Where people are unable to work due to the nature of their role, lack of suitable equipment and are available to take on alternative work but refuse to do so, we may require them to take annual leave if this situation remains for a sustained period of time. This is because it is not reasonable for us to expect people to stay at home not working and at the same time accruing annual leave which, when taken, would put undue strain on others who have been working throughout the period of the current emergency.
- We would encourage employees to take their annual leave that is currently booked. However, we appreciate that there may be exceptional situations whereby the manager asks an

Covid-19 Annual Leave Policy Positions Issued on 14 April 2020

employee who is executing critical work to cancel or postpone the leave for work reasons. In these exceptional situations, we will not reimburse employees for cancelled holiday travel and accommodation as any such cancellations are as a result of the Covid-19 pandemic. Employees must speak with their card issuers or travel insurance companies.

- As these are highly unusual times, we appreciate that employees may not have the opportunity to take all their annual leave in 2020. For these employees:
 - The expectation is for employees to take at least the 2 weeks' statutory minimum within 2020.
 - We will buy back unused 2020 purchased additional annual leave from employees or employees can carry this leave forward, please see below.
 - As a goodwill gesture, we have determined that up to 10 days of unused annual leave plus unused 2020 purchased annual leave can be carried forward for up to two years i.e. into 2021 and 2022. This is not a change to employees' terms and conditions and is provided on a discretionary basis. It does not change or confer any additional contractual arrangements and addresses a particular issue in relation to the current situation.
- It is anticipated that many employees may need to take the majority of their annual leave entitlement in the second half of the year. However, we must ensure that we can continue delivering required services across the Government; therefore, the manager will pre-approve all such annual leave requests.

Due to the high level of activities that employees are currently undertaking, to take care of our employees' wellbeing at this unusual time, the manager may request that an employee takes annual leave and/or flexitime in addition to scheduled rest days.

- Should an employee leave Government in 2021 or 2022, carry forward annual leave from 2020 will not be bought out other than the statutory minimum. Employees will be expected to take any unused carry forward and accrued current year annual leave entitlement during their notice period.

Carry forward of unused 2020 annual leave

- The use of this carry forward annual leave must be pre-approved by the employee's manager.
- 2021 and 2022 current year annual leave plus carry forward leave should be spread out over the course of 2021 and 2022 and pre-approved by the manager.
 - We would encourage employees to use not less than 12.5% (nearest half day) of their carry forward annual leave every quarter over 2021 and 2022 with pre-approval from the manager. This is to ensure that all employees have some time off, which is vital for wellbeing purposes. Recognising difficulties caused by the current situation, we strongly urge people to use all their leave wherever they can.
 - If an employee does not use 12.5% of their carry forward annual leave every quarter, the employee will forfeit this carry forward annual leave.
 - We would encourage employees who have carry forward annual leave to use 25% (nearest half day) of their current year annual leave entitlement every quarter, however, we must ensure that we can continue delivering required

Covid-19 Annual Leave Policy Positions
Issued on 14 April 2020

services across the Government, therefore, the manager will pre-approve all such annual leave requests.

- Should an employee wish to use a larger proportion of their carry forward annual leave during the school holidays in addition to their current annual leave, pre-approval will be required from the manager.

Appendix – example of carry forward position

The carry forward annual leave to be used in 2021 and 2022 will be calculated as follows:

- a. 2020 annual leave entitlement – for example 25 days
- b. 2020 purchased annual leave – for example 2 days
- c. Number of days annual leave an employee has taken in 2020 - for example 12 days
- d. The carry forward leave is:
 - 10 days carry forward of 2020 annual leave – 10 days is the maximum carry forward
 - 2 days carry forward of 2020 purchased leave – this can be carried forward or bought out, in this example it has been bought out
 - 12 days to be used over 2021 and 2022 per the guidelines in the main body of the document.

In this example, the employee would lose 3 days 2020 annual leave as they had not used it in 2020. We would encourage that employees use their unused 2020 annual leave for their wellbeing, rather than lose it.