

COVID-19 | Work Rights

Your employer can't make you use your leave

- You can't be told to take annual or sick leave..."...if your employer tries to make you take annual or sick leave make it clear that they cannot legally do so."
- You can agree to take annual leave - but you actually have to be on leave. They can't keep you working in any capacity.

Annual holiday leave

The law says that you and your employer have to agree on when you will take holiday leave. This means that your employer can't just decide on their own to make you go on leave.

The law also says that if you and your employer can't agree on when you will take your holidays then your employer can give you 14 days notice to make you take holiday leave at a certain time.

But it is important to remember that the law refers to holiday leave. This means it is for the purpose of you having a holiday, not for your employer to use for some other reason, or to save their business money.

The union position is that it is not appropriate to force anyone to take annual holiday leave during a national pandemic lockdown, even with 14 days notice, because this doesn't fit with the purpose of a holiday as rest and recreation.

Sick Leave

Sick leave is a right that you have under the law. Your employer can never force you to use sick leave.

You can choose to take sick leave if you, your partner, or your dependent (a child or person you care for) is sick or injured.