

No-Vacation Nation Revisited

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Introduction

The United States is the only advanced economy in the world that does not guarantee its workers paid vacation. European countries establish legal rights to at least 20 days of paid vacation per year, with legal requirements of 25 and even 30 or more days in some countries. Australia and New Zealand both require employers to grant at least 20 vacation days per year; Canada and Japan mandate at least 10 paid days off. The gap between paid time off in the United States and the rest of the world is even larger if we include legally mandated paid holidays, where the United States offers none, but most of the rest of the world's rich countries offer at least six paid holidays per year.

In the absence of government standards, almost one in four Americans has no paid vacation (23 percent) and no paid holidays (23 percent). According to government survey data, the average worker in the private sector in the United States receives only about ten days of paid vacation and about six paid holidays per year: less than the minimum legal standard set in the rest of world's rich economies excluding Japan (which guarantees only 10 paid vacation days and requires no paid holidays).

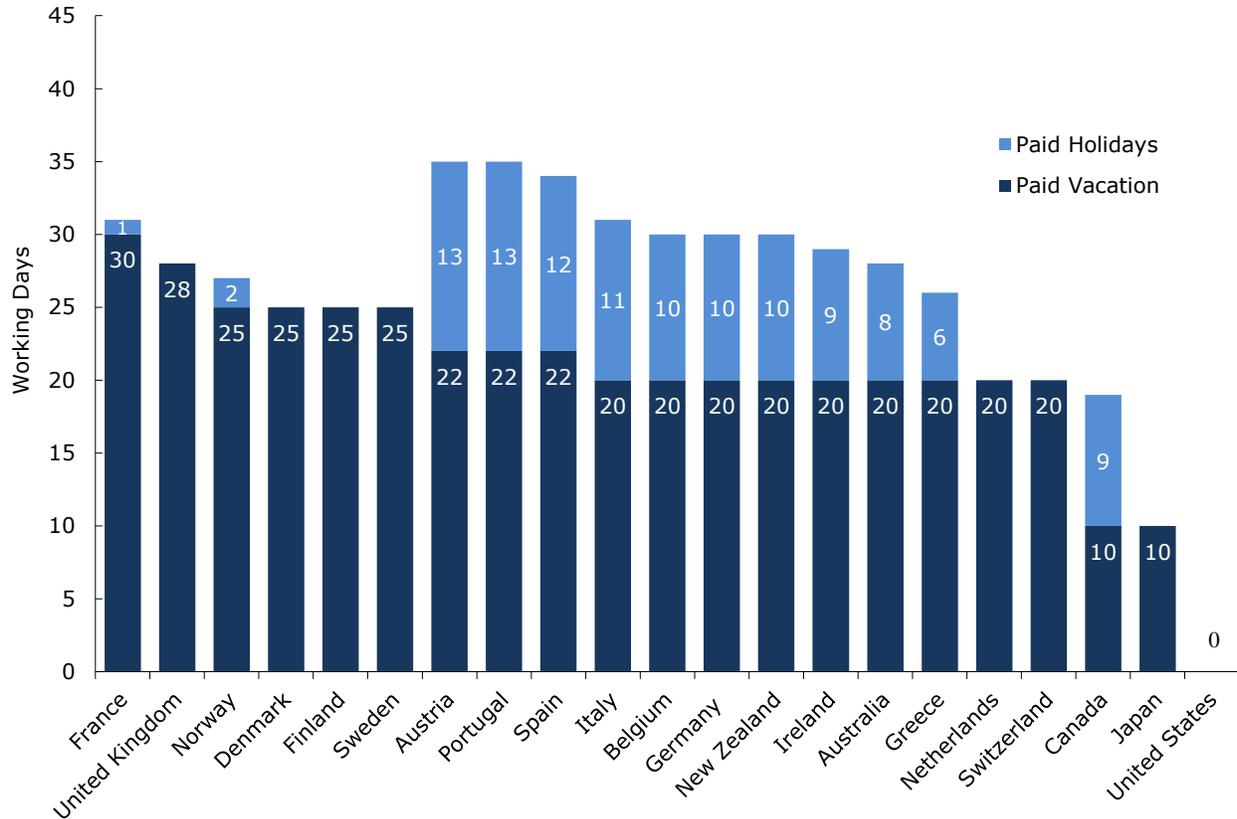
The paid vacation and paid holidays that employers do make available are distributed unequally. According to the same government survey data, only half of low-wage workers (bottom fourth of earners) have any paid vacation (49 percent), compared to 90 percent of high-wage workers (top fourth of earners). The same is true for part-timers, who are far less likely to have paid vacations (35 percent) than are full-timers (91 percent). The problems of low-wage and part-time workers are magnified if they are employed in small establishments, where only 69 percent have paid vacations, compared to 86 percent in medium and large establishments. Even when low-wage, part-time, and small-business employees do receive paid vacations, they typically receive far fewer paid days off than higher-wage, full-time, employees in larger establishments. For example, low-wage workers with a vacation benefit received only nine days of paid vacation per year in 2012, compared to 16 days of paid vacation for high-wage workers with paid vacations. If we look at all workers — those who receive paid vacations and those who don't — the vacation gap between low-wage and high-wage workers is even larger: only four days for low-wage workers, compared to 14 days for high-wage workers.

This report reviews the most recently available data from a range of national and international sources on statutory requirements for paid vacations and paid holidays in 21 rich countries (16 European countries, Australia, Canada, Japan, New Zealand, and the United States). In addition to our finding that the United States is the only country in the group that does not require employers to provide paid vacation time, we also note that several foreign countries offer additional time off for younger and older workers, shift workers, and those engaged in community service including jury duty. Five countries even mandate that employers pay vacationing workers a small premium above their standard pay in order to help with vacation-related expenses. Most other rich countries have also established legal rights to paid holidays over and above paid vacation days. We distinguish throughout the report between paid vacation — or paid annual leave, terms we use interchangeably — and paid holidays, which are organized around particular fixed dates in the calendar. Our analysis does not cover paid leave for other reasons such as sick leave, parental leave, or leave to care for sick relatives. (For international comparisons of paid sick leave see Heymann, Rho, Schmitt, and Earle (2009), and for parental leave, see Ray, Gornick, and Schmitt (2008).)

Vacation and Holiday Laws

Figure 1 summarizes the legal right to paid vacation for 21 of the richest countries in the world (see also **Table 1**). Where applicable and separate from paid vacation, the figure also shows the total number of legally mandated paid holidays. From left to right, countries are ordered from most generous (France, 30 days) to the least generous (the United States, 0 days).

FIGURE 1:
Paid Vacation and Paid Holidays, OECD Nations, in Working Days



Sources: See Table 1

Note: Several nations' laws refer to work days, while others refer to calendar days or weeks. Our comparison assumes a five-day workweek. Also, vacation times that are taken in practice as a full calendar month were noted as 22 workdays (the average number of work days in a month). For a more precise listing, see Table 1.

*This table was updated September 24, 2013 to change the number of vacation days in Germany from 24 (the amount mandated for six-day work weeks) to 20 days of paid vacation.

The European Union's (EU) Working Time Directive (1993) sets a vacation floor for all EU member countries of four weeks or 20 days per year. Several EU member countries require substantially more than the lower limit established by the EU. France mandates 30 days of paid annual leave; United Kingdom, 28; and Denmark, Finland, Norway and Sweden, 25.

Several EU countries offer paid holidays over and above the EU statute for paid annual leave. Austrian and Portuguese laws require employers to give 13 paid holidays in addition to paid vacation; Spain follows closely, guaranteeing 12 paid holidays. In addition to 20 days of paid annual leave, Italy require 10 paid holidays; Belgium and New Zealand, 10; Ireland, nine; and France, one.

TABLE 1
Paid Vacation and Paid Holidays in OECD Nations

Country	Statutory Minimum Annual Leave	Paid Holidays
Australia ¹	4 weeks (5 for shift workers)	8
Austria ²	30 calendar days (22 working days); 36 calendar days after 6 years	13
Belgium ²	20 work days	10
Canada ^{*3}	2 weeks (3 with seniority)	9
Denmark ²	25 work days	0
Finland ¹	25 work days (30 after 1 year)	0 [†]
France ²	30 work days	1
Germany ^{*1}	20 work days (up to 30 for young workers)	10
Greece ²	4 weeks (plus 1 work day after the 2 nd and 3 rd years)	6
Ireland ²	4 weeks	9
Italy ¹	4 weeks	10
Japan ¹	10 work days (plus 1 work day after the 2 nd – 10 th years)	0
Netherlands ¹	4 weeks	0
New Zealand ¹	4 weeks	10 ^{††}
Norway ^{2,4}	25 work days	2
Portugal ²	22 work days (20 in the first year)	13
Spain ^{1,2}	30 calendar days	12
Sweden ²	25 work days	0
Switzerland ²	4 weeks (5 for young workers)	0
United Kingdom ²	28 work days	0
United States ⁵	0	0

* Varies by region; standards for employees under federal jurisdiction are presented here; for details, see Appendix.

† While there are no dedicated paid public holidays, employees who work on certain recognized holidays receive 200% of their wages for hours worked; for details, see Appendix.

†† Only 4 holidays are taken with pay every year and 7 are only taken when they fall on a workday, averaging 10 paid holidays in any given year; for details, see Appendix.

Sources:

1. ILO (n.d.).
2. European Commission (n.d.) a.
3. HRSDC 2010.
4. Fellesforbundet 2005.
5. USDOL (n.d.)

Rich countries outside of the EU also have generous minimum requirements for vacation. In Europe, Norway requires employers to provide 25 days of paid annual leave. Workers in both Australia and New Zealand have four weeks of paid vacation and 8 paid holidays in Australia and 10 in New Zealand.

Canada and Japan are less generous than the rest of the world, but still require their employers to grant ten days of paid annual leave. Both countries, however, grant rising vacation to workers based on their seniority. (In Canada, provincial governments set vacation policy. The ten day leave in Figure 1 is representative of the federal regulations; most provinces set higher vacation minimums for workers with higher seniority.)

TABLE 2
Availability and Generosity of Actual Paid Annual Leave and Paid Holidays, Private Sector Workers, United States, 2012

	Percent Share of Workers Whose Employer Provides:		Average Number of Days All Workers with Benefit		All Workers	
	Paid Vacation	Paid Holidays	Paid Vacation	Paid Holidays	Paid Vacation	Paid Holidays
All	77	77	13	8	10	6
Full-time	91	90	13	8	12	7
Part-time	35	40	9	6	3	2
<i>Hourly wage</i>						
Bottom 25 percent	49	50	9	6	4	3
Top 25 percent	90	91	16	9	14	8
<i>Establishment size</i>						
Small (1-99 workers)	69	69	11	7	8	5
Medium to large (100+)	86	87	14	8	12	7

Source: Authors' analysis of National Compensation Survey. Average number of paid vacation days calculated as a weighted average of number of paid vacation days by minimum length of service, using authors' calculations of private sector job tenure from the CEPR extract of the Current Population Survey Job Tenure Supplement for January 2006 and prevalence of consolidated leave plans from [Employee Benefits in the United States, March 2012](#). We use average tenure distribution for both small and medium-to-large establishments.

The United States is the only country in the group that does not legally require employers to provide paid annual leave. Of course, many employers in the United States offer some or all of their employees paid vacations and paid holidays even though the law does not establish a legal minimum for either kind of benefit. (Many employers in the other 20 countries in Figure 1 also offer more paid vacations and holidays than the legal minimums described in the figure.)

Table 2 presents data on paid vacations and paid holidays in the U.S. private sector from the 2012 National Compensation Survey. The first column shows that about 77 percent of private-sector workers are in jobs where their employer offers paid vacation. The next column indicates that about 77 percent of workers are in jobs with paid holidays. The next two columns give the average number of paid vacation and paid holidays for those employees who have paid vacation and paid holidays, that is, the average excludes those employees who have zero paid vacation and zero paid holidays. For this group, which represents about three-fourths of the U.S. work force, the average paid annual leave is about 13 days, and the average number of paid holidays is about eight. The final two columns give the average number of paid vacation and paid holidays including the roughly one-fourth of the work force that does not have these benefits. On average, private-sector workers in the United States have about ten days of paid vacation per year, plus about six paid holidays.

The table also illustrates that part-time workers, low earners, and workers in small establishments (fewer than 100 workers) are less likely to receive paid vacation and paid holidays, and when they do, these workers receive fewer paid days off. Low-wage workers are less likely (49 percent) than higher-wage workers (90 percent) to have paid vacations. The same is true for part-timers, who are far less likely to have paid vacations (35 percent) than are full-timers (91 percent), and for employees in

small establishments, where only 69 percent have paid vacations, compared to 86 percent in medium and large establishments. Even when lower-wage, part-time, and small-business employees do receive paid vacations, they typically receive far fewer paid days off than higher-wage, full-time, employees in larger establishments do. For example, the average low-wage worker (earning a wage in the bottom 25 percent) with a vacation benefit received only 9 days of paid vacation per year, compared to 16 days of paid vacation for high-wage workers (in the top 25 percent of earners) with paid vacations. If we look at all workers — those who receive paid vacations and those who don't — the vacation gap between low-wage and high-wage workers is even larger: only 4 days for low-wage workers, compared to 14 days for high-wage workers.

Paid Holidays

Many OECD countries also guarantee paid holidays, including New Year's Day, Good Friday, Easter Monday, and Christmas. Other commonly paid holidays are Labor Day, Ascension Thursday, and All Saints' Day. Portugal and Austria have 13 paid public holidays. Spain has 12; Italy, New Zealand, and Belgium, 10; Ireland, and Canada, nine (on average for Canada, though the number varies by province); Australia, eight; and Greece, six. Norway has two paid holidays, and France guarantees one. Two countries determine public holidays at the regional level: Canada (which offers at least five in each province) and Germany (with a minimum of nine holidays). Again, U.S. law makes no provisions for paid holidays, as is also the case in Denmark, Japan, the Netherlands, Sweden, Switzerland, and the United Kingdom.

In most countries, employers have some flexibility around paid holidays, and often have the option to schedule workers on holidays provided that they pay those days at a higher-than-usual rate or offer a paid day off at another time. The Appendix discusses these issues in greater detail where applicable.

Special Treatment for Specific Categories of Workers

Several countries mandate more paid leave for younger and older workers than appears in Figure 1. Four European nations offer greater vacation time for young workers: Austria (usually an extra five working days), Germany (between one and six extra days, depending on age), Italy (an extra 10 days), and Switzerland (an extra week). Also in Switzerland, workers under the age of 30 who do volunteer work with young people are entitled to an additional five days of annual leave. Norway offers an additional week of vacation to workers over the age of 60.

In some countries, leave entitlement rises with a worker's seniority. Japan gives seniority the most weight: after 18 months, an employee's annual leave begins rising by one workday per year of service until reaching 20 days. Austria grants workers with over 25 years of seniority six additional calendar days of leave (for a total of 36 calendar days). In Finland, annual leave rises from four workweeks to five after the employee's first year. Greece's annual leave increases, from four weeks, by one workday per year after an employee's second and third year. Finally, in Canada, leave provisions vary from province to province, but most provinces grant workers an additional week of vacation after five to 10 years.

Two nations allow more leave for workers with difficult working schedules. Australia offers some shift workers an additional work week of leave. Austria offers workers with "heavy night work" two

to three extra days of leave, depending on how frequently they do this shift work, and an additional four days of leave after five years of shift work.

Timing of Leave

Nine European countries have regulations to guarantee that workers can take at least some of their leave in the summer peak vacation season. The Netherlands has the strictest rules in this regard: if possible, Dutch employers must grant their workers leave in one continuous period, to fall between April 30 and October 1. Other countries that require employers to schedule leave in blocks include Sweden and Finland (four consecutive weeks), Norway (18 days), Denmark (15 days), France (12 days), Portugal (10 days), and Greece (two consecutive weeks). Finally, in Austria, employers must allow young workers (between the ages of 15 and 18) at least 12 consecutive days of leave between June 15 and September 15, and all workers must be allowed to take leave in no less than six day periods. Also in New Zealand, employees are entitled to take at least 2 weeks of their leave consecutively.

Related Types of Paid Leave

Several nations also offer additional leave for specific purposes. Employees in Spain receive paid leave for acts of civic duty including jury service, and for moving house, getting married or for acts related to union work. French law guarantees unpaid leave for community work, including nine work days for representing an association and six months for projects of “international solidarity” abroad and leave with partial salary for “individual training” that is less than one year. Sweden requires employers to provide paid leave for workers fulfilling union duties.

Bonus Pay for Vacation Periods

Austria, Belgium, Denmark, Greece, and Sweden require employers to pay workers at a premium rate while they are on vacation. Austria is the most generous — employers pay workers taking their month-long vacation a “13th month” salary, paid at the same time as the usual monthly salary, but taxed at a lower rate. Greece also has a “14th month” salary, half of which employees receive during vacation, the other half is received at Easter, and the “13th month” at Christmas — this works out to Greek workers receiving 150 percent of their regular monthly salary as holiday pay. In Belgium, employees receive their normal salary for the period, plus an additional twelfth of 92 percent of their gross salary for the month that their leave is taken. Employees in Denmark receive a holiday supplement equal to one percent of their annual salary. In Sweden, employees’ annual leave pay is 12 percent of their annual salary. Canadian workers also may be paid a higher rate while on vacation. While laws for vacation pay differ among provinces, most employees receive a slight premium by receiving an additional two percent of their gross annual pay per week of vacation.

Provisions to Ensure that Leave is Taken

Several nations have additional stipulations to ensure workers take their allotted leave each year. Portugal, Spain, Switzerland, and the United Kingdom have provisions specifically forbidding employers from offering employees additional pay for forfeiting vacation days. Australia offers a less strict version of this protection, allowing annual leave exceeding the minimum of four weeks to be “cashed out.”

Another method of guaranteeing that workers have access to their leave is to require leave to be taken by the end of the year in which it is granted. Denmark, Switzerland, and the United Kingdom have such provisions and Ireland requires leave be taken within six months after the end of the year.

Conclusion

This review of international standards for paid vacation and paid holidays shows that the United States lags far behind the rest of the world's rich countries. The United States is the only advanced economy that does not guarantee its workers any paid vacation time and is one of only a few rich countries that does not require employers to offer at least some paid holidays.

In the absence of a legal requirement for paid vacation and paid holidays, about one fourth of the U.S. workforce has no paid vacation or paid holidays in the course of their work year. The sum of the average paid vacation and paid holidays — 16 in total — offered in the private sector in the United States would not meet even the minimum required by law in 19 other rich countries analyzed here. (The average in the United States only exceeds the legal minimum of ten days in Japan.)

The lack of paid vacation and paid holidays in the United States is particularly acute for lower-wage and part-time workers, and for employees of small businesses. Low-wage, part-time, and small-business employees are all less likely to receive paid vacations or paid holidays, and when they do receive paid time off, the amount they receive is far less generous than what is available to their higher-wage, full-time counterparts with larger employers.

Appendix

European Union

The 2003 Working Time Directive holds EU member countries to minimum standards of workplace protections. The Directive stipulates that member states must ensure that every worker is “entitled to paid annual leave of at least four weeks.”¹ Nations were initially granted a three-year implementation period, beginning in 1996, in which they could provide only three weeks of annual leave.² Since full implementation, several Member States have raised concerns and the Directive is under going a multiple-stage consultation and impact assessment with plans to revise the requirements.³

Australia

Australia’s annual leave provisions are guaranteed through the National Employment Standards (NES) as laid out in the Fair Work Act 2009. For most employees, the NES sets a minimum paid annual leave of four weeks. Leave is accrued progressively throughout each year of employment and can be carried over from year to year. Two significant exceptions to this general rule exist: casual and continuous shift workers. Casual workers are exempted from the standard but receive a “casual loading” in addition to their usual salary to compensate for entitlements under the NES that they do not receive (the amount varies by sector and position). The Australian Bureau of Statistics reports that 19 percent of all Australian workers are casual.⁴ On the other end of the spectrum, continuous shift workers are entitled to an annual paid leave of five weeks. Finally, in addition to paid annual leave, workers are guaranteed at least eight paid holidays: January 1 (New Year’s Day), January 26 (Australia Day), Good Friday, Easter Monday, April 25 (Anzac Day), Queen’s birthday holiday, December 25 (Christmas), and December 26 (Boxing Day). Workers are also entitled to be paid leave for any public holiday declared by their State or Territory.⁵

Under certain circumstances, employees may voluntarily work instead of taking annual and holiday leave. Where workplace contracts allow it, annual leave can be “cashed out” in exchange for the pay the employee would have received during leave. However, employees may not cash out their leave if it would result in less than four weeks remaining of their annual entitlement. Employers are prohibited from requiring workers to cash out of vacation time, or from exerting undue pressure on employees in their decisions regarding whether to take all of their allotted paid leave. However, employers may require employees to take leave if the “requirement is reasonable,” such as an excessive amount of leave has been accrued or the enterprise is going to be closed for a period of time. Employers can request, but not require, that employees work on holidays. In lieu of the holiday, employees receive an additional paid day off.⁶

1 EU (2008), Chapter 2, Article 7.

2 EU (1993).

3 EU (n.d.) b.

4 Australian Bureau of Statistics. 2012.

5 “Australia - Working time.” 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=AU&p_sc_id=1001&p_year=2011&p_structure=2]

6 Fair Work Act 2009. Cited in “Australia – Working time.” 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

Austria

By default, Austrian workers are allotted five weeks of leave per year, which corresponds to 30 calendar days of paid annual leave. After 25 years of employment, workers are guaranteed an additional six calendar days, for a total of 36 calendar days of leave. This entitlement is extended to part-time and minimally employed workers as well. Several special categories of workers receive varying treatment. Young workers receive 30 working days of leave, and, at their request, must be granted at least 12 days of leave between June 15 and September 15.⁷ Employees who work from home must receive 2.5 working days of leave per month of employment; after 25 years of employment this allotment rises to 3 working days per month. No work may be delivered to the employee's home during these days. Workers who perform heavy night work (at least six hours of work between the hours of 10:00 p.m. and 5:00 a.m., under strenuous conditions) receive extra vacation time depending on the frequency of their night work, as follows:

- Employees who work this shift 50-100 times per year receive two extra days of annual leave. If these same employees then work at least 40 night shifts in the subsequent year, they will receive the same two extra days of leave in that next year as well.
- Those who work this schedule over 100 times per year receive three extra days of annual leave. If these same employees then work at least 40 night shifts in the subsequent year, they will receive the same three extra days of leave in that next year as well.

After five years of this heavy night work, workers are entitled to four extra days of leave, and after fifteen years of this work, six extra days.

Many workers receive a holiday bonus in addition to their salary. This is called the “13th month,” and is paid at the same rate as their usual monthly salary, but subject to a lower tax rate.

There are 13 statutory public holidays. On these days, workers must receive 24 hours of uninterrupted rest, with pay. Any work done on these days is paid at 200 percent of the usual wage, unless compensatory time (one calendar day or 36 hours is given).⁸

Belgium

Workers in Belgium are guaranteed 20 working days' leave for each year worked for those who work five-day weeks and 24 days' leave for six-day work weeks. However, they do not have the right to take the leave until the year after it is earned. In other words, a worker is not guaranteed the right to take any vacation time until after her first year with her employer. Holiday pay includes the full amount of the employee's normal salary, plus an additional twelfth of 92 percent of their gross salary

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=AU&p_sc_id=1001&p_year=2011&p_structure=2]

7 “Living and Working Conditions: Austria - Leave (annual leave, parental leave etc).” 2012. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8425&acro=living&lang=en&parentId=7768&countryId=AT&living=>].

8 “Austria - Working time.” 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=AT&p_sc_id=1001&p_year=2011&p_structure=2]

for the month that their leave is taken. Some employees and salaried artist receive a holiday pay that is equivalent to 15.38 percent of the salary earned the previous year.⁹

Belgium has 10 public holidays with the right to paid leave. These days are: New Year's Day, Easter Monday, Labor Day (May 1), Ascension Day, Whit Monday (50 days after Easter), Belgian National Holiday (July 21), Assumption (August 15), All Saint's Day, Armistice Day, and Christmas. Employers may ask their employees to work on public holidays, but must compensate them with a different day off within six weeks of the holiday.¹⁰

Canada

In Canada, provincial law governs annual leave, unless an employee falls under federal jurisdiction, which applies to the federal government and to broadcasting or interstate or international commerce operations. However, as **Table A1** below shows, most jurisdictions follow a similar pattern of two weeks' paid annual leave, which increases by one week after a significant job tenure.

Similarly, the number of statutory paid holidays varies by province, as shown below.¹¹ Workers may be asked to work on public holidays, and each province has set its own rules regarding additional compensation for work done on these days. Most provinces require some combination of an additional leave and a higher rate of pay for the time worked.

TABLE A1
Legal Minimum Annual Paid Leave and Holidays in Canada, by Province

Jurisdiction	Guaranteed Paid Annual Leave (Weeks)	Required Job Tenure for Additional Week of Leave (Years)	Paid Holidays
Federal*	2	6	9
Alberta	2	5	9
British Columbia	2	5	10
Manitoba	2	5	8
New Brunswick	2	8	7
Newfoundland	2	15	6
Nova Scotia	2	8	5
Nunavut**	2	5	9
Northwest Territories**	2	6	10
Ontario	2	***	9
Prince Edward's Island	2	***	7
Quebec	2	5	8
Saskatchewan	3	10	9
Yukon	2	***	9

9 "Living and Working Conditions: Belgium - Leave (annual leave, parental leave etc)." 2012. Database entry in EC (n.d.). Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8426&acro=living&lang=en&parentId=7769&countryId=BE&living=>].

10 "Belgium – Working time." 2009. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=BE&p_sc_id=1001&p_year=2009&p_structure=2]

11 Alberta Human Services (2011); Government of British Columbia (2012); Manitoba Government (2013); *Employment Standards Act* (1982); Government of Newfoundland and Labrador (2012); Ontario Ministry of Labour (2012); *Employment Standards Act* (1988).

- * Under federal jurisdiction, after six years of job tenure, workers' vacation pay rises from four to six percent of their annual salary.¹²
- ** In Nunavut and the Northwest Territories, workers' five and six years' tenure, respectively, (required for an additional week's annual leave) do not need to be continuous, but do need to occur within a ten-year period.
- *** In Ontario, Prince Edward's Island, and the Yukon, the guaranteed amount of paid annual leave does not increase with job tenure.

Denmark

Danish law guarantees employees five weeks of annual leave per year worked after their first year of employment. For the first year, leave is prorated at 2.08 days per month worked for a 5-day workweek schedule and 2.5 days a month for a 6-day workweek schedule. Under the now-common 5-day workweek, this translates to 25 work days of paid leave. Employees may take their annual leave during the year after it is earned, and may not carry it over from one year to the next. In their first year of employment, they may still take the normal amount of annual leave, but the law does not require employers to pay them during this leave. Employees are paid their full normal wage, the value of any benefits they don't have access to while on leave and a supplemental wage equal to one percent of their annual salary. Of their total allotted annual leave, employees must take at least 15 days of leave in a consecutive period and use the remaining days at least 5 days at a time. The employer determines when time off can be taken, but must take the employee's wishes into consideration. There are no federal regulations around paid leave for public holidays, this is determined through collective or individual agreement between employers and employees.¹³

Finland

Finnish law guarantees five weeks of paid leave annually, which translates to 30 days for workers with a traditional six-day workweek and 25 for those working a more modern five-day workweek. These days are allotted on a pro-rated basis: 2 days' paid leave per month worked during their first year of employment, and 2.5 days' paid leave per month thereafter. Four of these weeks must be taken between May 2 and September 30, and the rest may be used any time before May 2 of the following calendar year. Though the employer must allow employee input into the timing of leave, scheduling is ultimately at the discretion of the employer. Moreover, the employer may postpone a worker's summer leave until later in the same calendar year if normal summer leave would place an excessive burden on operations. When a worker's employment is terminated, the employer must pay the value of any remaining leave. After 15 years' tenure, public sector workers receive three work days' leave for each month worked.¹⁴

12 "Canada – Working time." 2012. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=CA&p_sc_id=1001&p_year=2012&p_structure=2]

13 "Denmark – Working time." 2009. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=DK&p_sc_id=1001&p_year=2009&p_structure=2]

See also "Living and Working Conditions: Denmark - Leave (annual leave, parental leave etc)." 2011. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8431&acro=living&lang=en&parentId=7774&countryId=DK&living=>]

14 "Finland – Working time." 2009. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=FI&p_sc_id=1001&p_year=2009&p_structure=2]

Under the Annual Holidays Act, Independence Day, Christmas Eve, Midsummer Eve, Easter Saturday and the First of May are treated as Sundays. In Finland, employees are guaranteed bonus pay of 100 percent for work on any “Sunday.” Many collective agreements stipulate eleven public holidays where employees are paid for eight hours of their average hourly wage. Other holidays vary among localities.¹⁵

France

From their first month of employment, workers in France are eligible for annual leave, which accrues at a rate of 2.5 days per four weeks’ work, or 30 days per year (from June 1 to May 31).¹⁶ Workers may take up to 24 days of this leave at a time, but most collective agreements require at least 12 of these days must be taken between May 1 and October 31.¹⁷ Workers receive extra leave for deciding to take a portion of their leave outside of the summer season: those who take between three and five days’ leave off-season receive an extra day’s leave, and those who take six days’ leave off-season receive two extra days.¹⁸ There are 11 public holidays, but only one, May 1, must be paid.¹⁹ Finally, French law guarantees additional, unpaid leave for community work: up to nine unpaid working days of leave for representing an association, and up to six months’ unpaid leave for “international solidarity” trips for service abroad. They are also guaranteed a partial salary for “individual training” that is less than one year.²⁰

Germany

German law allows for 24 working days of leave normally, with a few notable exceptions for young workers. Workers receive 30 working days’ leave until they turn 16, 27 days until they turn 17, and 25 days until they turn 18. Working days are defined as non-holiday days between Monday and Saturday, whether or not a worker usually works on these days. Thus, the 24 working days apply to those with six-day workweeks; those with five-day workweeks receive 20 paid days of leave. Full entitlement to leave is not established until the employee has been at her job for six months. Public holidays are paid in Germany. There is only one national public holiday, German Unity Day. States regulate the remaining holidays, varying between 9 and 13 in total.²¹

15 Annual Holidays Act. Cited in “Finland – Working time.” 2009. Database entry in ILO (n.d.). Accessed January 14, 2013. [<http://www.ilo.org/dyn/travail/docs/2409/Annual%20Holidays%20Act.pdf>]

16 “Living and Working Conditions: France - Leave (annual leave, parental leave etc.” 2010. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8434&acro=living&lang=en&parentId=7777&countryId=FR&living=>].

17 “France – Working time.” 2012. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=FR&p_sc_id=1001&p_year=2012&p_structure=2]

18 Ministère Du Travail (2012).

19 “France: Public Holidays.” 2009. Database entry in European Foundation (n.d.). Accessed January 14, 2013.

[<http://www.eurofound.europa.eu/emire/France/PUBLICHOLIDAYS-FR.htm>].

20 “Living and Working Conditions: France - Leave (annual leave, parental leave etc.” 2010. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8434&acro=living&lang=en&parentId=7777&countryId=FR&living=>].

21 “Germany – Working time.” 2012. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=DE&p_sc_id=1001&p_year=2012&p_structure=2]

Greece

Workers in Greece receive four weeks' paid leave annually: 24 working days for workers on a six-day week or 20 working days for those on a five-day week. Employers must offer workers this leave by the end of their first calendar year at the job, prorated for the portion of the year for which they've been employed. After the second and third years of employment, annual leave is increased by one working day per year (to 22 or 26 working days, depending on the usual work schedule). If the employee works more than eight months they are entitled to take their leave in a minimum of two consecutive weeks. While on leave, employees receive holiday pay equivalent to one and a half times their regular salary.²²

There are six mandatory paid public holidays: Independence Day (March 25), Good Friday, Easter Monday, May 1, August 15, and Christmas. There is one discretionary holiday (October 28), and localities and employers may observe up to four additional holidays, including the days of patron saints of municipalities, industries, or occupations. Employees who must work on a public holiday receive a 75 percent wage premium for that day's work.²³

Ireland

The Organisation of Working Time Act of 1997 provides for four weeks of annual leave per year for workers employed full-time (on a pro rata basis in the case of partial-year employment of less than 1,365 hours). Alternately, employers may provide 1/3 working week's vacation per month in which the employee worked at least 117 hours, or 8 percent of an employee's annual hours (up to a maximum of four working weeks). Leave may not be carried over from year to year. Employers may schedule their employees' leave, but must take into account workers' family responsibilities and must consult the employees' union at least one month before the leave is to occur. Employers must pay leave before it commences.²⁴

In addition to annual leave, employees are entitled to nine public holidays: New Year's Day, St. Patrick's Day, Easter Monday, the first Monday in the months of May, June, August, and October, Christmas Day, and St. Stephen's Day (December 26). Employers may choose to give employees these holidays as paid days off, or compensate them with a different paid day of leave within that month, an additional day's annual leave, or an additional day's pay. If holidays fall on an employee's day off, and the employee cannot claim it as a day off of work, the employer may give the worker an

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- 22 "Living and Working Conditions: Greece - Leave (annual leave, parental leave etc)." 2012. Database entry in EC (n.d.) a. Accessed January 14, 2013.
<http://ec.europa.eu/eures/main.jsp?catId=8436&acro=living&lang=en&parentId=7779&countryId=GR&living=>.
 See also "Greece – Working time." 2009. Database entry in ILO (n.d.). Accessed January 14, 2013.
http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=GR&p_sc_id=1001&p_year=2009&p_structure=2
- 23 "Greece: Public Holidays." 2009. Database entry in European Foundation (n.d.). Accessed January 14, 2013.
<http://www.eurofound.europa.eu/emire/GREECE/PUBLICHOLIDAYS-GR.htm>.
- 24 Organisation of Working Time Act. Cited in "Ireland – Working time." 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.
http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=IE&p_sc_id=1001&p_year=2011&p_structure=2

additional 20 percent of her usual weekly pay as compensation. Part-time workers must have worked at least 40 hours in the five weeks before the holiday to receive this benefit.²⁵

Italy

Under Article 2109 of the Civil Code, employees are entitled to a minimum of four weeks of annual paid leave, with an option for a greater amount to be decided upon through collective agreement. Workers under the age of 16 are entitled to additional paid leave, a minimum of 30 days annually. Leave is meant to be taken as one continuous vacation where possible and to be scheduled by the employer with consideration to the worker's interest. In addition, Italy observes 10 public holidays: New Year's Day, Epiphany (January 6), Liberation Day (April 25), Labor Day (May 1), Republic Day (June 2), Assumption (August 15), All Saints' Day (November 1), Immaculate Conception (December 8), Christmas (December 25), and St. Stephen's Day (December 26). In addition, several localities recognize the festival of their local patron saint. These are treated as paid days off. If a holiday falls on a Sunday or another day not usually worked, workers receive one additional day's pay. If a worker must work on that day, they receive a bonus equivalent to 1/6th of their weekly salary for doing so.²⁶

Japan

Annual leave is covered by the Labor Standards Law of 1947 (last amended in 2004). Employees are eligible for ten working days' annual leave once they have worked at least six months, and reported to work at least 80 percent of their scheduled work days (not counting days off for work-related accidents or injuries, or for child care or maternity leave). After 18 months of employment, they receive one additional working day's leave for each year of their tenure, up to a total of 20 working days. There is no guarantee of pay for public holidays. While the employee generally has the right to schedule the leave according to her own wishes, the employer may move the scheduled leave if it interferes with business operations.²⁷

Netherlands

Workers in the Netherlands receive four weeks' vacation each year. Employers should schedule this leave, but after consulting with employees, and with sufficient advance notice for the employees to plan vacations. If possible, leave should be scheduled as one continuous period and should fall between April 30 and October 1. However, if the business requires it, or the worker requests it, leave can be split into periods of at least two weeks. The Netherlands has only two national holidays, Queen's Day (April 30) and Liberation Day (May 5), although many employers also observe other

25 "Living and Working Conditions: Ireland - Leave (annual leave, parental leave etc)." 2004. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[[http://www.irishstatutebook.ie/1997/en/act/pub/0020/sec0021.html](http://ec.europa.eu/eures/main.jsp?catId=8438&acro=living&lang=en&parentId=7781&countryId=IE&living=]S ee also <a href=)

26 "Italy - Working time." 2012. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=IT&p_sc_id=1001&p_year=2012&p_structure=2]

27 "Japan - Working time." 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=JP&p_sc_id=1001&p_year=2011&p_structure=2]

holidays such as New Year’s Day, Easter Monday, and Christmas. There is no legal entitlement to time off for holidays, or for extra pay for workers who must work on them.²⁸

New Zealand

The Holidays Act 2003 covers vacation and holiday pay in New Zealand. The Act guarantees workers four weeks of annual paid leave. The worker is paid the greater of their ordinary weekly pay at the time of the leave or the average weekly pay from the previous twelve months. Up to one week of annual leave per entitlement year may be cashed out; however, an employer may decline the request. Employees were previously entitled to an additional holiday pay allowance of 8 percent of their gross earnings since their last anniversary date, however this was repealed in April 2011.

The Holidays Act also allows for 11 public holidays. Employees receive one and one-half times their usual salary if they must work on these days. Four holidays receive special treatment: Christmas, Boxing Day, January 1, and January 2. Employees receive all four of these days as paid holidays, regardless of the day of the week on which they fall. If one of these holidays falls on a weekend, it is “Mondayised” and observed on the employee’s next working days. In addition, there are seven other public holidays which are only observed if they fall on a day the employee would usually work: Waitangi Day (February 6), Good Friday, Easter Monday, ANZAC Day (April 25), Queen’s Birthday (the first Monday in June), Labor Day (the fourth Monday in October), and Provincial Anniversary Day.²⁹ This is an average of 10 paid holidays in any given year

Norway

Employees in Norway are guaranteed 25 working days of paid vacation each year. For these purposes, Saturdays count as working days even if the employee does not usually work on Saturdays. Thus, employees who usually work Monday through Friday will receive 21 normal working days of vacation, but be paid for 25 working days during that time. Employees over the age of 60 receive one additional week of vacation, for a total of 31 working days. Rather than earning vacation time on a pro-rata basis, the right to full vacation and holiday pay is earned in the year preceding the holiday year. If the worker isn’t employed the full year, she is still entitled to paid vacation time, but receives a reduced holiday pay based on the length employed. When leaving a job, remaining holiday pay is included in last wage payment and the employee is not entitled to additional holiday pay at the next place of employment until it is accrued.³⁰

Employers set the leave schedule, but must consult with the employees. Employers may also change the leave schedule, also after consultation, but must compensate employees for costs associated with changing their holiday plans. Nevertheless, an employee may demand to take his “main holiday” (18

28 “Netherlands - Working time.” 2009. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=NL&p_sc_id=1001&p_year=2009&p_structure=2]. See also <http://www.eurofound.europa.eu/emire/NETHERLANDS/PUBLICHOLIDAY-NL.htm>

29 New Zealand Parliamentary Counsel Office. Holidays Act, Act No. 129 of 2003. Cited in “New Zealand - Working time.” 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=NZ&p_sc_id=1001&p_year=2011&p_structure=2]

30 “Living and Working Conditions: Norway - Leave (annual leave, parental leave etc).” 2012. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8447&acro=living&lang=en&parentId=7790&countryId=NO&living>]

working days) between June 1 and September 30. Also, if an employee falls ill to the point that she is completely incapacitated shortly before her annual leave is to begin, she can demand that it be postponed; if this happens for at least six days *during* her scheduled leave, she can demand alternative leave days later in the year. Most work is prohibited on Sundays (considered public holidays) and the ten national public holidays – New Year’s Day (January 1), Maundy Thursday, Good Friday, Easter Monday, Labor Day (May 1), Constitution Day (May 17), Ascension, Whit Monday, Christmas, and Boxing Day (December 25 and 26).³¹ Special significance is also given to May 1 and May 17 which are guaranteed paid holidays and collective agreement determine which of the other public holidays qualify for paid time off.³²

Portugal

Portuguese law guarantees 22 working days (not counting weekends) of annual leave for workers, due on January 1 each year. Several stipulations give specific guidance for employees who have fixed-term contracts. First, employees who have been working under contract for less than one year, but more than six months are allotted two working days of leave for each month of their employment, up to 20 days. Second, if the calendar year ends before an employee works six months, the accrued leave may be used before the following June 30th, however a maximum of 30 working days may be used in a single year. Lastly, contracts that are less than six months, entitle employees to two days of paid leave for every full month stipulated in the contract.³³

Scheduling of annual holidays is decided through agreement between employer and employee, with employer making the ultimate decision. Leave must be taken between May 1 and October 31 for smaller businesses. Also, the holiday can be broken into periods of no less than 10 days, but is normally taken as an uninterrupted period.³⁴

Portugal also has 13 compulsory public holidays: New Year’s Day, Good Friday, Easter Sunday, Freedom Day (April 25), Labor Day (May 1), Corpus Cristi, Portugal Day (June 10), Ascension (August 15), Day of the Republic (October 5), All Saints’ Day (November 1), Restoration of Independence Day (December 1), Immaculate Conception (December 8), and Christmas Day.³⁵ Employers must give their workers either paid leave on these days or in agreement between the employee and employer, the day off can be taken on another day. If an employee does work on the public holiday, they earn double their normal wage for the day.³⁶

31 “Norway – Working time.” 2009. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=NO&p_sc_id=1001&p_year=2009&p_structure=2]

32 Fellesforbundet 2005.

33 “Living and Working Conditions: Portugal - Leave (annual leave, parental leave etc).” 2012. Database entry in EC (n.d.). Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8449&acro=living&lang=en&parentId=7792&countryId=PT&living=>

34 “Portugal – Working time.” 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=PT&p_sc_id=1001&p_year=2011&p_structure=2]

35 “Living and Working Conditions: Portugal - Leave (annual leave, parental leave etc).” 2012. Database entry in EC (n.d.). Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8449&acro=living&lang=en&parentId=7792&countryId=PT&living=>

36 “Portugal – Working time.” 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=PT&p_sc_id=1001&p_year=2011&p_structure=2]

Spain

Paid vacations in Spain are governed by the 1994 Workers Statute. The statute specifies that annual leave must be determined on a workplace-by-workplace basis, through collective bargaining. However, employers may not give employees fewer than 30 calendar days' leave per year (22 working days). Also, the employer and employee must agree on scheduling the vacation days, at least 2 months in advance. Annual leave may not be exchanged for additional wages. Paid leave is also given for a number of specific occasions, such as fulfilling civic duty (including serving on a jury), marriage (15 days), performing union duties, and for moving house (1 day).³⁷ Workers are entitled to 12 national paid holidays; local governments may add up to two additional holidays.³⁸

Sweden

Workers in Sweden are entitled to paid annual leave of 25 working days, or five weeks. They have a right to take at least four of these weeks consecutively, between June and August. Moreover, if a worker becomes sick during their annual leave, the days of their illness are no longer counted toward their leave allowance. The qualifying year is April 1st to March 31st. If employment starts after August 31st, employees are only entitled to five days in that qualifying year. The scheduling of leave is determined between employee and employer with the employer having final say provided that they provide two months' notice. Annual leave days may be carried over to future years up to five years in the future. If a worker moves jobs, they are only entitled to their annual leave in that qualifying year to the extent that they hadn't taken it in their previous job.

They also receive "holiday pay" of 12 percent of the wages they would have earned during their leave. This holiday pay applies to normal workers, as well as temporary replacement staff, short-term employees and employees on probation who have worked for more than 60 hours for an employer. If a worker leaves a position without taking all of her leave, she will still receive the holiday pay for her unused leave.³⁹

Union workers are allowed additional leave apart from annual vacation. Swedish law requires employers to allow workers to take paid leave for any days needed to fulfill union responsibilities. This leave is paid at the worker's normal salary (without additional holiday pay).

Finally, there are 12 public holidays in Sweden, but employers are not required to provide paid leave on these days.⁴⁰

37 "Living and Working Conditions: Spain - Leave (annual leave, parental leave etc)." 2012. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8453&acro=living&lang=en&parentId=7796&countryId=ES&living=>]

38 "Spain – Working time." 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=ES&p_sc_id=1001&p_year=2011&p_structure=2]

39 Annual Leave Act (1977:480). Cited in "Sweden - Working time." 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=SE&p_sc_id=1001&p_year=2011&p_structure=2]

40 Annual Leave Act (1977:480). Cited in "Sweden - Working time." 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

Switzerland

Swiss law guarantees four weeks of annual leave for all workers and apprentices over the age of 20, and five weeks of leave for those below, after one year of employment. If the worker has been employed less than a year, leave is earned on a pro-rated basis. Leave is scheduled by the employer with consideration of the employee's wishes. At least two weeks must be given consecutively. Employees must take these vacation days in the corresponding year, and may not exchange them for additional pay or other compensation. However, they may forfeit some of their annual leave if they have taken over a month of unpaid leave of their own volition (not including illness or civic duty).⁴¹ Also workers under the age of 30 are entitled to an additional five days of annual leave if they perform volunteer work with young people.

In addition, employers must give workers four public holidays — New Year's Day, Ascension Thursday, Swiss National Day (August 1), and Christmas — although they are not required to provide paid leave. Each canton observes varying additional holidays, such as Easter, Pentecost, Corpus Christi, and Youth Service Day (which gives one day of leave for workers below the age of 30 who do volunteer service for youth). In each canton, workers have at least eight public holidays.⁴² Public holidays are treated as Sundays; therefore employees who must work on public holidays receive a wage premium for those hours.⁴³

United Kingdom

In the United Kingdom, all full-time and part-time employees are guaranteed at 28 days annual leave. For part-time workers, their entitlement is 5.6 times the number of days a week they work. Employees are not guaranteed paid leave on public and bank holidays. Therefore the number of days was increased from 20 to 28 in 2009 to give the equivalent of paid leave for 8 bank holidays. While many employers automatically schedule the extra days for public holidays, they can be used otherwise throughout the year.

Employees must take their allotted leave. It may not be forfeited for additional salary or other compensation. An employee may only receive payment for leave not taken when she leaves her post, and in that case she must be compensated for the unused time, regardless of the context of the termination. Moreover, leave must be taken in its corresponding year and cannot be saved.

Employees usually schedule their own leave, with the employer's authorization. The advance notice they give their employer must be at least twice the duration of the leave they plan to take. In other words, employees who wish to take two days' leave must notify their employer at least four days

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=SE&p_sc_id=1001&p_year=2011&p_structure=2]

41 Code of Obligations of 30 March 1911. Cited in "Switzerland - Working time." 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=CH&p_sc_id=1001&p_year=2012&p_structure=2]

42 "Living and Working Conditions: Switzerland - Leave (annual leave, parental leave etc)." 2012. Database entry in EC (n.d.) a. Accessed January 14, 2013.

[<http://ec.europa.eu/eures/main.jsp?catId=8455&acro=living&lang=en&parentId=7798&countryId=CH&living=1>]

43 "Switzerland - Working time." 2011. Database entry in ILO (n.d.). Accessed January 14, 2013.

[http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=CH&p_sc_id=1001&p_year=2012&p_structure=2]

beforehand. An employer may deny or cancel an employee's leave, but must give as much notice as the duration of the leave. Alternately, an employer may require an employee to take her leave on particular dates, but must observe the same advance notice guidelines. For example, stores may close on holidays and require their employees to take those days as part of their annual leave.⁴⁴

United States

United States law offers no guarantees of paid leave. The only exceptions are for government contractors and subcontractors covered under the Davis-Bacon Act.⁴⁵

44 Trades Union Congress. (n.d.).

45 USDOL (n.d.).

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