ETUI-REHS

No-vacation nation USA – a comparison of leave and holiday in OECD countries

European Economic and Employment Policy Brief

No. 3 — 2007

ISSN 1782-2165

Rebecca Ray and John Schmitt

No-vacation nation USA – a comparison of leave and holiday in OECD countries

By Rebecca Ray and John Schmitt [1]

Introduction

Average annual working hours are substantially shorter in European countries and elsewhere in the world's advanced economies than they are in the United States. One important reason for the difference is that workers in the United States are less likely to receive paid annual leave and paid public holidays, and those U.S. workers that do receive paid time off generally receive far less than their counterparts in comparable economies.[2]

This report reviews the most recently available data from a range of national and international sources on statutory requirements for paid leave and paid public 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 leave, we note that almost every other rich country has also established legal rights to paid public holidays over and above paid leave.

Members of the European Union and other European countries analyzed here all establish a legal right to at least 20 days of paid leave per year, with legal requirement of 25 and even 30 or more days in some countries. Australia and New Zealand both require employers to grant at least 20 paid-leave days per year. Canada and Japan mandate at least 10 paid days off. The United States is the only advanced economy in the world that does not guarantee its workers paid leave. 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 public holidays, where the United States offers none, but most of the rest of the world's rich countries offer between five and 13 paid public holidays per year.

In all countries many employers offer, usually as a result of collective agreements, public holiday entitlements over and above statutory minima. However, our report emphasizes the important role that government standards play in guaranteeing paid time off. In the absence of government standards in the United States, almost one in four workers there has no paid leave and no paid public holidays at all. According to U.S. government survey data, the average worker in the U.S. private sector receives only about nine days of paid leave and about six paid public holidays per year, substantially less than the minimum legal standard set in the rest of world's rich economies excluding Japan (which guarantees only 10 paid-leave days and requires no paid public holidays).

Moreover, in the absence of minimum standards, the paid leave and paid public holidays that U.S. employers do make available are distributed unequally. According to the same U.S. government survey data, lower-wage workers are less likely to have any paid leave (69%) than higher-wage workers (88%); part-timers (36%) far less likely to have paid leave than full-timers (90%); and workers in small establishments (70%) are less likely to have paid leave than those in medium and large establishments (86%). Even when lower-wage, part-time, and small-business employees in the United States do receive paid leave, they typically receive far fewer paid days off than higher-wage, full-time, employees in larger establishments.

---

[1] Research assistant and senior economist respectively at the Center for Economic and Policy Research. www.cepr.net The authors thank Dean Baker, Heather Boushey, Liz Chimienti, John de Graaf, Lynn Erskine, Helene Jorgensen, and Andrew Watt for many helpful comments.

[2] Our analysis does not cover paid leave for other reasons such as sick leave, parental leave, or leave to care for sick relatives.

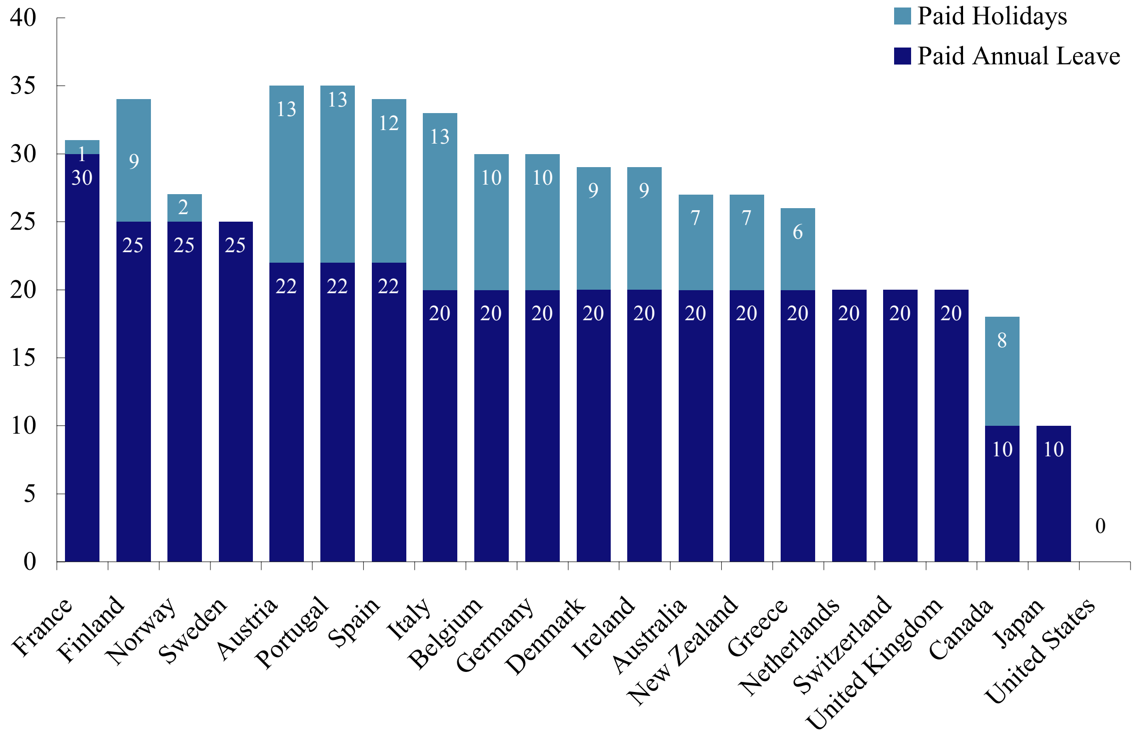
For example, the average lower-wage worker (less than $15 per hour) with paid leave benefits received only 10 days of paid leave per year in 2005, compared to 14 days of paid leave for higher-wage workers with paid leave.

Paid annual leave and public holidays

Paid annual leave

Figure 1 summarizes the legal right to paid leave for 21 of the richest countries in the world (see also **Table 1** and the detailed country notes in the appendix). Where applicable and separate from paid leave, the figure also shows the total number of legally mandated paid public 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 annual leave and paid public holidays, OECD countries, in working days



Sources: See Table 1
Note: Several countries' laws refer to workdays, while others refer to calendar days or weeks. Our comparison assumes a five-day workweek. For a more precise listing, see Table 1.

The European Union's (EU) Working Time Directive (1993) sets a paid-leave 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; and Finland and Sweden, 25. Several EU countries offer paid public holidays over and above the EU statute for paid annual leave. Austrian, Portuguese, and Italian laws require employers to give 13 paid public holidays in addition to paid leave; Spain follows closely, guaranteeing 12 paid public holidays. In addition to 20 days of paid annual leave, Belgium requires 10 paid public holidays; and Denmark and Ireland, nine.

Table 1: Paid leave and paid public holidays in OECD countries

Country	Statutory minimum annual leave	Paid public holidays
Australia [1]	4 weeks (5 for shift workers)	7
Austria [2]	30 calendar days (22 work days); 36 after 6 years	13
Belgium [2]	20 work days	10
Canada *[3]	2 weeks (3 with seniority)	8
Denmark [2]	30 work days	9
Finland * [1]	4 weeks (5 after 1 year)	9
France [2]	30 work days	1
Germany *[1]	4 weeks (up to 5 weeks for young workers)	10
Greece [2]	4 weeks (plus 1 work day after the 2nd and 3rd years)	6
Ireland [2]	4 weeks	9
Italy [4]	4 weeks	13
Japan [5]	10 work days (plus 1 work day after the 2nd – 10th years)	0
Netherlands [1]	4 weeks	0
New Zealand [1]	4 weeks	7
Norway [2, 6]	25 work days	2
Portugal [2]	22 work days (20 in the first year)	13
Spain [1, 7]	30 calendar days (22 work days)	12
Sweden [2]	25 work days	0
Switzerland [2]	4 weeks (5 for young workers)	0
United Kingdom [2]	4 weeks	0
United States [8]	0	0

* Varies by region; average is presented here; for details, see Appendix.

Sources:

1. ILO (no date, a.)
2. European Commission (no date, a)
3. Canada DHRSD 2006
4. Heymann et Al. 2004, European Union 1993.
5. ILO (no date, b), Japan (no date)
6. Fellesforbundet 2005
7. European Commission (no date, b)
8. USDOL (no date)

Rich countries outside of the EU also have generous minimum requirements for paid leave. 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 leave and 7 paid public holidays.

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 leave entitlements to workers based on their seniority. (In Canada, provincial governments set paid-leave policy. The ten day estimate in Figure 1 is representative of the country; most provinces set higher paid-leave minimums for workers with higher seniority.)

Table 2: Availability and generosity of actual paid annual leave and paid public holidays, private sector workers, United States, 2006

	Percent share of workers whose employer provides:		Average number of days (all workers with benefit)		All workers	
	Paid leave	Paid public holidays	Paid leave	Paid public holidays	Paid leave	Paid public holidays
All	77	76	12	8	9	6
Full-time	90	88	13	8	12	7
Part-time	36	37	9	6	3	2
Hourly wage						
Less than $15 per hour	69	67	10	7	7	5
$15 per hour or higher	88	88	14	9	13	8
Establishment size						
Small (1-99 workers)	70	68	11	8	8	5
Medium to large (100+)	86	86	14	9	12	8
Unionization						
Union	83	83	16	10	13	8
Non-Union	77	75	12	8	9	6

Source: Authors' analysis of BLS (2006) analysis of National Compensation Survey, Tables 19, 20, and 21. Average number of paid-leave days calculated as a weighted average of number of paid-leave 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. 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 any paid annual leave.

Of course, many employers in the countries in Figure 1 offer more paid leave and public holidays than the legal minimums described in the figure, on the basis of collective (or individual) agreements. This factor is especially important in the United States given that the law does not establish a legal minimum for either kind of benefit. **Table 2** presents data on paid leave and paid public holidays in the U.S. private sector from the 2006 National Compensation Survey. The first column shows that about 77% of private sector workers are in jobs where their employer offers paid leave. The next column indicates that about 76% of workers are in jobs with paid public holidays. In other words one in four US workers has no paid leave or public holidays at all.

The next two columns give the average number of paid leave and paid public holidays for those employees who have paid leave and paid public holidays, that is, the average excludes those employees who have zero paid leave and paid public holidays. For this group, which represents about three-fourths of the U.S. work force, the average paid annual leave is about 12 days, and the average number of paid public holidays is about eight.

The final two columns give the average number of paid leave and paid public 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 nine days of paid leave per year, plus about six paid public holidays. This is less than half the figure typical *as a legal minimum* in western European countries, even without allowing for the supplementary, collectively agreed provisions enjoyed by many workers.

The table also illustrates that statutory provision is vital to ensure relatively equal leave and public-holiday provision within a country. In the US part-time workers, low earners, and workers in small establishments (fewer than 100 workers) are less likely to receive paid leave and paid public holidays, and when they do, these workers receive fewer paid days off. Lower-wage workers are less likely (69%) than higher-wage workers (88%) to have paid leave. The same is true for part-timers, who are far less likely to have paid leave (36%) than are full-timers (90%), and for employees in small establishments, where only 70% have paid leave, compared to 86% in medium and large establishments. Even when lower-wage, part-time, and small-business employees do receive paid leave, they typically receive far fewer paid days off than higher-wage, full-time, employees in larger establishments do. For example, the average lower-wage worker (less than $15 per hour) with a paid-leave benefit received only 10 days of paid leave per year, compared to 14 days of paid leave for higher-wage workers with paid leave. If we look at all workers — those who receive paid leave and those who don't — the paid-leave gap between lower-wage and higher-wage workers is even larger: only 7 days for lower-wage workers, compared to 13 days for higher-wage workers.

Union representation also makes an important difference with respect to whether or not a worker receives paid annual leave or paid public holidays, as well as the level of generosity of these benefits. Union workers are more likely than non-union workers to have at least some paid annual leave (83% of union workers, compared to 77% of non-union workers) and at least some paid public holidays (83%, compared to 75%). Among workers with paid annual leave and paid public holidays, union workers have substantially more time off than non-union workers: 16 days of paid annual leave and 10 paid public holidays for union workers, compared to 12 days of paid annual leave and eight paid public holidays for non-union workers.

Paid public holidays

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

In most countries, employers have some flexibility with respect to treatment of paid public holidays, and often have the option to schedule workers on public 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. Three European nations offer greater paid-leave time for young workers: Austria (usually an extra five working days), Germany (between one and six extra days, depending on age), and Switzerland (an extra week). Norway offers an additional week of paid leave 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 weeks to five weeks after the employee’s first year, and public servants with at least 15 years of tenure receive 36 working days. 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 paid leave after five to 10 years.

Two countries allow more leave for workers with difficult working schedules. Australia offers some shift workers an additional 1/52 of the number of hours they work each year (or roughly one work week). 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

An additional important issue is workers' ability to schedule leave according to their preferences. Nine European countries have regulations to guarantee that workers can take at least some of their leave in the summer peak leave 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 summer blocks include Sweden (four consecutive weeks), Finland (4 weeks), Norway (18 days) Denmark (15 days), and France (12 days). Portuguese employers may close their operations completely over part of the summer to accommodate employee leave, and must consult with their workers’ union if they plan to shut for fewer than 15 consecutive working days. 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.

Related types of paid leave

Several nations also offer additional leave for specific purposes. For example, Greek law provides up to three days of paid leave for workers to vote, if accessing their polling stations requires travel. Employees in Spain receive paid leave for acts of civic duty including jury service, and for moving house. French law guarantees unpaid leave for community work, including nine workdays for representing an association and six months for projects of “international solidarity” abroad. Sweden requires employers to provide paid leave for workers fulfilling union duties. Other countries provide leave entitlements for workers' representatives and jury service.

Bonus pay for paid-leave periods

Austria, Sweden, and New Zealand require employers to pay workers at a premium rate while they are on paid leave. Austria is the most generous — employers pay workers taking their month-long paid leave a “13th month” salary, paid at the same time as the usual monthly salary, but taxed at a lower rate. In Belgium slightly less than a 13th month is paid. In New Zealand and Sweden, annual leave is paid at a higher rate than the worker’s usual salary; 112% the usual pay in New Zealand and 108% the usual rate in Sweden.

Provisions to ensure that leave is taken

Several nations have additional stipulations to ensure workers take their allotted leave each year. Portugal, Spain, and Switzerland have provisions specifically forbidding employers from offering employees additional pay for forfeiting paid-leave days. Australia offers a less strict version of this protection, allowing half of the annual leave to be "cashed out." The United Kingdom prohibits cashing out the statutory minimum four weeks of leave, but employees can receive extra pay in lieu of paid-leave time over the statutory minimum.

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, Ireland, and Switzerland have such provisions. Portugal requires that at least 15 days of annual leave be taken in the year accrued; the remainder can only be taken until April of the following year. The United Kingdom treats carried-over leave in the same way as it treats cashing out: employees must take the four guaranteed weeks of leave, but may carry over any additional leave granted by their employer. (Of course, some workers may prefer to accumulate leave over years and take extended paid time away from work.)

Conclusion

Almost all of the world's advanced economies guarantee substantial paid-leave time, with a twenty-day-per-year minimum in 18 of the 21 countries studied here. Canada and Japan, however, provide only ten days per year, and the United States is in a class of its own with respect to statutory guarantees of paid time off: it is the no-vacation nation. Requirements for paid public holidays vary more across the rich countries analyzed here. Most of the advanced economies mandate between five and 13 paid public holidays per year, but six countries have no legally required paid public holidays (Japan, the Netherlands, Sweden, Switzerland, the United Kingdom, and, again, the United States).

While incorporating paid annual leave and paid public holidays granted by employers reduces the gap between the United States and other countries somewhat, the lack of statutory provision results in substantial inequality of leave and paid public holiday provision in the United States that compounds existing disadvantage for typically less-advantaged groups including part-timers, low-wage workers, and employees in small enterprises.

The availability of paid annual leave and paid public holidays has important implications for any attempts to assess economic and social well-being, particularly when using comparative indicators such as Gross Domestic Product per person and productivity per employee, which tend to obscure large differences in work and leisure across countries.

Appendix

European Union

The 1993 Working Time Directive (amended in 2000) 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” (EU 1993: 11).

Australia

Australia’s annual leave provisions are guaranteed through the Australian Fair Pay and Conditions Standard. For most employees, the Standard sets a minimum paid annual leave of one-thirteenth of time worked in each four-week period. (In practice, this becomes four weeks of paid leave per year for employees who work 38-hour weeks.) 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 lost time (usually an additional 20% of their salary). On the other end of the spectrum, continuous shift workers receive additional paid leave of 1/52 of time worked, or 25% more than other employees. Finally, in addition to paid annual leave, workers are guaranteed at least seven paid public holidays: New Year’s Day, January 26 (Australia Day), Good Friday, Easter Monday, April 25 (Anzac Day), Christmas, and December 26.

Under certain circumstances, employees may voluntarily work instead of taking annual and public holiday leave. Where workplace contracts allow it, annual leave can be “cashed out” in exchange for the additional pay the employee would have received during leave. However, employees may only cash out of a limited amount of their leave: up to 1/26 of their annual hours (or two weeks per year in the case of employees who work 38-hour weeks). Employers are prohibited from requiring workers to cash out of paid-leave 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 up to one-fourth of their accumulated leave if they have not used any over a two-year period. Employers can request, but not require, that employees work on public holidays. In lieu of the public holiday, employees receive an additional paid day off, and 150% of their usual wage for the hours worked on the public holiday (although some contracts may alter this allowance).

Austria

By default, Austrian workers are allotted 30 calendar days of leave, which translates to 22 working days. After 25 years of employment, workers are guaranteed an additional six calendar days, for a total of 36 calendar days of leave. 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. 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 two-three days additional paid-leave time depending on the frequency of their night work

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.

Workers receive a bonus in addition to their salary. This is called the “13th month,” and is paid at the same time as the 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% of the usual wage, unless compensatory time (one calendar day or 36 hours is given).

Belgium

Workers in Belgium are guaranteed 20 working days' leave for each year worked. However, they do not have the right to take the leave until the year after it is earned.

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 public holiday. Workers receive a holiday bonus in addition to their salary. This is called the "13th month," and is paid at the same time as the usual monthly salary.

Canada

In Canada, provincial law governs annual leave, unless an employee falls under federal jurisdiction. However, 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 public holidays varies by province, with a minimum of five days and a maximum of ten. 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.

Denmark

Danish law guarantees employees 30 days of annual leave per year worked, prorated at 2.5 days per month worked between May 2 and April 30. 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. Of their total allotted annual leave, employees must take 15 days between May 2 and September 30, although contracts may waive this norm. Finally, employees are guaranteed bonus pay of 100% for work on any of nine public holidays: New Year's Day, Maundy Thursday, Good Friday, Easter Monday, Common Prayer Day (the fourth Friday after Easter), Ascension Day, Constitution Day (June 5, from noon), Whit Monday (50 days after Easter), Christmas, and December 26.

Finland

Employees are guaranteed 2 days' paid leave per month worked during their first year of employment, and 2.5 days' paid leave per month thereafter. In practice, these days are measured against a traditional six-day workweek, even though a five-day workweek is now the norm. Thus, the resulting 30 days' leave refers to five weeks of vacation, not six. Of these five weeks, four 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, or may be carried over to the next year at the employee's discretion. 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. Public servants receive special treatment: after 15 years' tenure, they receive three workdays' leave for each month worked.

Public holidays vary among localities. Nationally, Independence Day is treated as a paid public holiday. Local governments set rules regarding other public holidays, observing an average of nine days.

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. Workers may take up to 24 days of this leave at a time, but at least 12 of these days must be taken between May 1 and October 31. 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. There are 11 public holidays, but only one, May 1, must be paid. 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.

Germany

German law allows for four work weeks of leave normally (20 days, or 24 days for those on a six-day work week). Workers receive an extra weeks' leave until they turn 16, three extra days until they turn 17, and one extra day until they turn 18. Full entitlement to leave is not established until the employee has been at her job for six months. A worker's leave may be split into multiple parts either for urgent business reasons or for the employee's wishes, but at least one of these sections must be for at least 12 working days.

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.

Greece

Workers in Greece receive five 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). Apart from the usual annual leave, Greece also offers workers up to three paid days' leave to vote, in cases where accessing polling stations requires travel.

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 public holiday (October 28), and localities and employers may observe up to four additional public holidays, including the days of patron saints of municipalities, industries, or occupations. Employees who must work on a public holiday receive a 75% wage premium for that day's work.

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 one-third working week's paid leave per month in which the employee worked at least 117 hours, or 8% 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.

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 December 26. Employers may choose to give employees these public 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 public 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 additional 20% of her usual weekly pay as compensation. Part-time workers must have worked at least 40 hours in the five weeks before the public holiday to receive this benefit.

Italy

Workers in Italy are covered by the European Union Working Time Directive, which guarantees four weeks of annual leave per full-time employee. In addition, Italy observes 12 public holidays: New Year's Day, Epiphany (January 6), Liberation Day (April 25), Easter Monday, Labour Day (May 1), Republic Day (June 2), Assumption (August 15), All Saints' Day (November 1), Immaculate Conception (December 8), Christmas, December 26, and the festival of the local patron saint. These are treated as paid days off. If a public 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 for doing so.

Japan

Annual leave is covered by the Labor Standards Law of 1947 (last amended in 1995). Employees are eligible for ten working days' annual leave once they have worked at least six months, and reported to work at least 80% of their scheduled workdays (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, although 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. Exceptions to this provision include workers in family businesses that employ only cohabiting relatives, farm workers, domestic employees, and supervisors of employees handling confidential matters.

Netherlands

Workers in the Netherlands receive four weeks' paid leave each year. Employers should schedule this leave, but after consulting with employees, and with sufficient advance notice for the employees to plan their leave. 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 public holidays such as New Year's Day, Easter Monday, and Christmas. There is no legal entitlement to time off for public holidays, or for extra pay for workers who must work on them.

New Zealand

The Holidays Act 2003 covers paid leave and public-holiday pay in New Zealand. Its provisions were phased in, and since April 1 2007 the Act guarantees workers four weeks of annual paid leave, with an additional public holiday pay allowance of 8% of their gross earnings since their last anniversary date.

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. In addition, if the public holiday falls on a day when the employee would usually work, they receive an alternative day off. Four public holidays receive special treatment: Christmas, Boxing Day, January 1, and January 2. Employees receive all four of these days as paid public holidays, regardless of the day of the week on which they fall. If one of these public 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), Labour Day (the fourth Monday in October), and Provincial Anniversary Day.

Norway

Employees in Norway are guaranteed 25 working days of paid leave 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 paid leave, but be paid for 25 working days during that time. Employees over age 60 receive one additional week of paid leave, for 31 working days. Rather than earning paid leave on a pro rata basis, employees are eligible for a full 25 working days of paid leave if they begin a job prior to October 1, and eligible for 6 working days if they begin a job later in the calendar year. Employees are not eligible for any paid leave from their current employer if they have already received full paid-leave time from a different employer in the same calendar year.

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 leave plans. Nevertheless, an employee may demand to take his "main holiday," (18 working days) between June 1 and September 30 (unless she began her post after August 15). 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. Up to 12 working days' leave can be transferred to the next year for this reason.

Sundays are considered public holidays; most work is prohibited. Special significance is also given to May 1 and May 17, which are public, paid holidays.

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 not yet served for one year.

To accommodate leave schedules, employers may close their businesses for part of the summer, though they must seek permission from the union to close for fewer than 15 days. If the business does shut for part of the summer, and an employee has the right to more paid leave than that, she can opt to receive extra wages in lieu of the days off, as long as she takes at least 15 days of leave per year. Where spouses are employed at the same business, employers must make every effort to allow them to take the same paid-leave days. Paid-leave days may be carried over from one year to the next, but must be used by April of the following year.

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. Employers must give their workers either paid leave on these days or other days *in lieu*, except in those businesses with fewer than 10 employees, in which case the employees are only eligible for substitute public holidays up to 25% of the time worked.

Spain

Paid leave in Spain are governed by the 1994 Estatuto de Trabajadores. This 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. Also, the employer and employee must agree on scheduling the paid-leave days, at least 2 months in advance. Annual leave may not be exchanged for additional wages. Paid leave is also given for fulfilling civic duty (including serving on a jury) and for moving house (1 day). Workers are entitled to 12 national paid holidays; local governments may add up to two additional public holidays.

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.

They also receive "holiday pay" of 12% 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 their leave, they will still receive the holiday pay for their unused leave.

Union workers are allowed additional leave apart from paid annual leave. 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.

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. At least two weeks must be given consecutively. Employees must take these paid-leave 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 extended sick leave or unpaid leave.

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 public 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. Employees who must work on public holidays receive a wage premium for those hours.

United Kingdom

In the United Kingdom, all full-time and part-time employees are guaranteed at least four weeks' annual leave. 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. However, if an employer grants more leave than the legal minimum, they may make whatever arrangements they like with regards to carrying over the additional leave. Employees are not guaranteed paid leave on public and bank holidays. Any paid leave granted on those holidays can be counted toward the employee's four weeks of annual leave.

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 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 public holidays and require their employees to take those days as part of their annual leave.

United States

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

Bibliography

"EU Throws in the Towel over Holiday Rules." *Financial Management*. December 2000: 34.

Allegretto, Sylvia. 2006. "U.S. Workers Enjoy Far Fewer Vacation Days than Europeans." Economic Policy Institute. Accessed April 26, 2007. [http://www.epinet.org/content.cfm/ webfeatures_snapshots_20050824]

Australia Office of the Employment Advocate. 2007a. The Australian Fair Pay and Conditions Standard. Canberra: AOEA Fact Sheet No. AFPCS-0107 (January). Accessed April 25, 2007. [http://www.oea.gov.au/docs/employers/ FactSheet_AustralianFairPayandConditionsStandard.pdf].

Australia Office of the Employment Advocate. 2007b. "Making Better Workplace Agreements." Canberra: AOEA Guide 0107 (January). Accessed May 1, 2007. [http://www. oea.gov.au/ docs/employers/workbook/Workbook1.rtf].

Canada Department of Human Resources and Social Development. 2001. "Paid Statutory Holidays in Employment Standards Legislation." Ottawa: HRSD Strategic Policy and International Labour Affairs, Labour Branch (November 15). Accessed April 27, 2007. [http://www.hrsdc.gc.ca/ en/lp/spila/clli/eslc/27statutory_holidays_synoptic _table.shtml].

Canada Department of Human Resources and Social Development. 2005. "Part III of the Canadian Labour Code: Sick Leave and Work-Related Illness and Injury Leave." Ottawa: DHRSD (December 8). Accessed April 25, 2007. [http://www.hrsdc.gc.ca/ en/lp/lo/lswe/ls/ publications/7.shtml].

Canada Department of Human Resources and Social Development. 2006a. "Annual Vacations with Pay." Ottawa: DHRSD (April 5). Accessed April 25, 2007. [http://www.hrsdc.gc.ca/en/lp/ spila/clli/eslc/annual_vacations_narrative.pdf].

Canada Department of Human Resources and Social Development. 2006b. "Minimum Requirements for Annual Vacations with Pay." Gatineau, Quebec: HRSDC Fact Sheet (April). [http://www.hrsdc. gc.ca/en/lp/spila/clli/eslc/ table_minimumrequirements_vacations.pdf].

Canada Department of Human Resources and Social Development. No Date. "Employment Standards Legislation in Canada." Accessed April 25, 2007. [http://www.hrsdc.gc.ca/asp/ gateway.asp? hr=en/lp/spila/clli/eslc/01 Employment_Standards_Legislation_in_Canada .shtml&hs=lxn].

Denmark Ministry of Science, Technology, and Innovation. No Date. "Work in Denmark: Leave." Accessed April 25, 2007. [http://www.workindenmark.dk/Leave_family].

Der Deutsche Gewerkschaftsbund - Confederation of German Trade Unions. (No Date). "Feiertage." Berlin: DGB Fact Sheet. [http://www.dgb.de/ themen/arbeitsrecht/informationen/feiertage2.pdf]

Embassy of India in Copenhagen, Denmark. 2002. "Doing Business in Denmark." Copenhagen: Embassy of India Economic and Commercial Section. Accessed May 1, 2007 [http://www.indian-embassy.dk/Pages/ Commercial/dbid.html].

Embassy of the United States in Paris, France. 2006. "Consular Services for American Citizens Residing in APP Rennes' District." Paris: U.S. State Department. Accessed April 25, 2007. [http://www.amb-usa.fr/rennes/amcit/ bbook06.pdf].

European Commission. No Date - a. "The European Job Mobility Portal: Living and Working." Brussels: EC Employment and Social Affairs Online Database. Accessed May 7, 2007. [http://europa.eu.int/eures/main.jsp?acro=lw&lang =en&catId=490&parentId=0].

European Commission. No Date – b. "The European Researcher's Mobility Portal." Brussels: EC Employment and Social Affairs Online Database. Accessed April 26, 2007. [http://ec.europa.eu/eracareers/ index_en.cfm].

European Commission. No Date - c. European Union Labor Force Survey.

European Committee of Social Rights. 2003. Conclusions Concerning Articles 1§4, 2, 3, 4, 9, 10, and 15 of the Charter in Respect of Portugal. Paris: Council of Europe. Accessed April 30, 2007. [http://www.fd.uc.pt/hrc/ enciclopedia/portugal/relatorios/esc2003.pdf].

European Foundation for the Improvement of Living and Working Conditions. No Date -a. "EMIRE European Employment and Industrial Relations Glossaries." Accessed April 25, 2007. [http://www.eurofound.europa.eu/emire/ emire.html].

European Foundation for the Improvement of Living and Working Conditions. No Date -b. "EMIRE Quality of Work." Dublin: Eurofound Online Database. Accessed April 27, 2007. [http://www.fr.eurofound.eu.int/emire/emire.html].

European Industrial Relations Observatory. 2004. "Austria: Small Growth in Sickness Absence In 2003." Dublin: EIRO (February). Accessed April 25, 2007. [http://www.eiro.eurofound.ie/2004/02/inbrief/at0402201n.html].

European Industrial Relations Observatory. 2005. "Working Time Developments – 2004." Dublin: EIRO (March). Accessed April 25, 2007. [http://www.eiro.eurofound.ie/2005/03/update/tn0503104u.html].

European Union. 1993. European Working Time Directive. Brussels: EU Council Directive 93/104/EC. (November 23). Accessed April 25, 2007. [http://eur-lex.europa.eu/smartapi/cgi/sga doc?smartapi!celexapi!prod!CELEXnumdoc&lg =en&numdoc=31993L0104&model=guichett].

Federal Republic of Germany. 2005. "In the Workplace: Individual and Collective Labor Law." *A Manual for Germany.* Second edition. Berlin: German Government Representative for Migration, Refugees and Integration. Accessed April 27, 2007. [http://www.handbuch-deutschland.de/book/en/004_002_print.html].

Fellesforbundet. 2005. "Wages and Working Conditions in Norway." Oslo: Fellesforbundet (Norwegian United Federation of Trade Unions) (December 19). Accessed April 26, 2007. [http://www.fellesforbundet.no/Fellesforbundet/L%C3%B8nns-%20og%20arbeidsvilk%C3%A5r/Brosjyrer%20p%C3%A5%20flere%20spr%C3%A5k/engelsk%20for%20nye%20land.pdf].

Flanders Investment and Trade. 2005. "Workforce Issues." Brussels: Government of Flanders (April 13). Accessed April 27, 2007. [http://www.investinflanders.com/en/doing_business/legal_guide/workforce_issues/].

Gornick, Janet C. and Marcia K. Meyers. 2003. *Families that Work: Policies for Reconciling Parenthood and Employment.* New York: Russell Sage Foundation.

Heymann, Jody, Alison Earle, Stephanie Simmons, Stephanie M. Breslow, and April Kuehnhoff. 2004. "The Work, Family, and Equity Index: Where does the United States stand globally?" Boston: The Project on Global Working Families, Harvard School of Public Health (June 16).

International Labour Organization. 2001. "National Labour Law Profile: Republic of Finland." Accessed April 27, 2007. [http://www.ilo.org/public/english/dialogue/ifpdial/info/national/fin.htm].

International Labour Organization. 2004. "Conditions of Work and Employment: Paid Annual Leave." Geneva: ILO Information Sheet No. WT-6 (July). Accessed April 25, 2007. [http://www.ilo.org/public/english/protection/condtrav/pdf/infosheets/wt-6.pdf].

International Labour Organization. No Date - a. "Working Time Database." Geneva: ILO Conditions of Work and Employment Programme. Accessed April 25, 2007. [http://www.ilo.org/travaildatabase/servlet/workingtime].

International Labour Organization. No Date - b. "NATLEX Labor Law Database." Geneva: ILO International Labour Standards Department. Accessed April 25, 2007. [http://natlex.ilo.org/].

Japan Institute of Labor. 2001. "Survey Results of Labor-Management Relations in Foreign Affiliated Companies in Japan." Tokyo: JIL (December). [http://www.jil.go.jp/english/laborinfo/library/documents/sr_survey1.pdf].

Japan. 2002. Labour Standards Law Tokyo: Law No. 49 of 7 April 1947 as amended through Law No. 102 of 2 June 2002. Accessed April 25, 2007. [http://www.ilo.org/dyn/natlex/docs/webtext/27776/64846/e95jpn01.htm].

Japan. 1999. "Second Periodic Report by the Government of Japan under Articles 16 and 17 of the International Covenant on Economic, Social, and Cultural Rights." Tokyo: Ministry of Foreign Affairs of Japan. Accessed April 26, 2007. [http://www.mofa.go.jp/policy/human/econo_rep2/index.html].

Jorgensen, Helene. 2002. "Give Me a Break: The Extent of Paid Holidays and Vacation." Washington, D.C.: Center for Economic and Policy Research. (September). Accessed April 25, 2007. [http://www.cepr.net/documents/publications/give_me_a_break.pdf].

Kamerman, Sheila and Shirley Gatenio. 2002. "Mother's Day: More Than Candy And Flowers, Working Parents Need Paid Time-Off." New York: The Clearinghouse on International Developments in Child, Youth, and Family Policies, Columbia University (Spring). Accessed April 25, 2007. [http://www.childpolicyintl.org/issuebrief/issuebrief5.pdf].

Kingdom of Norway. 1995. "Act No. 4 of 4 February 1977 Respecting Workers' Protection and the Working Environment, as Amended to Act No. 2 of 6 January 1995." Accessed May 1, 2007. [http://www.ilo.org/dyn/natlex/docs/webtext/13291/64814/e95nor01.htm].

Kingdom of Norway. 2006. “Annual Holiday Act.” Trondheim: Directorate of Labor Inspection (September). Accessed April 25, 2007. [http://www.arbeidstilsynet.no/binfil/download.php?tid=40352].

Kingdom of Spain. 1994. “Estatuto de Trabajadores.” Statute 11/1994. (May 19). Accessed March 29, 2007. [http://www.ilo.org/dyn/natlex/docs/webtext/37817/64929/S94ESP01.htm].

Kingdom of Sweden. 2007. “Living and Working in Sweden.” Stockholm: Invest in Sweden Agency Fact Sheet (January 1). Accessed April 26, 2007. [http://www.isa.se/upload/english/factsheets/living%20and%20working%20in%20sweden.pdf].

Levin-Epstein, Jodie. 2006. *Getting Punched: The Job and the Family Clock*. Washington, DC: Center for Law and Social Policy.

Netherlands Ministry of Social Affairs and Employment. 2006. “Working in the Netherlands”. The Hague: MSAE (May). Accessed April 25, 2007. [http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp_rubriek&rubriek_id=13006].

New Zealand Parliamentary Counsel Office. (No Date). “Public Access to Legislation Database.” Accessed April 25, 2007. [http://www.legislation.govt.nz].

New Zealand. 2003a. Holidays Act 2003. Accessed April 25, 2007. [http://www.ers.dol.govt.nz/holidays_act_2003/].

New Zealand. 2003b. “Online Tool for Holidays Entitlements.” Canberra: Department of Labor Online Fact Sheet. Accessed April 25, 2007. [http://www.ers.dol.govt.nz/holidays-online-tool/default.aspx].

Organisation for Economic Co-Operation and Development. 2004. *OECD Employment Outlook*. Paris: OECD.

Partena. 2006. “Legal Requirements for Employing Staff in Belgium.” *Belgium: A Central Location in Europe*. Brussels: Made in Brussels, 29-33. Accessed April 27, 2007. [http://www.newbusiness.be/Partena 2006.pdf].

Petersen, Niels. 2007. “National Labor Law Profile: The Swiss Confederation.” Geneva: International Labour Organization (February 20). Accessed April 25, 2007. [http://www.ilo.org/public/english/dialogue/ifpdial/info/national/ch.htm].

Portuguese Republic. 1991. “Decreto-Lei n.° 397/91.” Diário da República 238 (October 16), pp. 5370-5373. Accessed April 25, 2007. [http://dre.pt/pdfgratis/1991/10/238A00.pdf].

Rae, David. 2005. “How to Reduce Sickness Absences in Sweden: Lessons from International Experience. Paris: OECD Working Paper No. ECO/WDP(2005)29 (September 19). Accessed April 25, 2007. [http://www.olis.oecd.org/olis/2005doc.nsf/43bb6130e5e86e5fc12569fa005d004c/41598c3dc5781f43c1257085002d4e2a/$file/jt00189736.pdf].

Republic of Finland. 2001. Annual Holidays Act (272/1973) as Amended by Several Acts, Including No. 65/2001. Accessed April 25, 2007. [http://www.finlex.fi/pdf/saadkaan/E9730272.PDF].

Republic of Finland. 2004. “Facts for Foreigners Working in Finland.” Helsinki: Advisory Board for Ethnic Relations Brochure (September). Accessed April 27, 2007. [http://www.mol.fi/mol/fi/99_pdf/fi/ 04_maahanmuutto/07_aineistot_kirjasto/01_esitteet/tyoelama/tyoelama_eng.pdf].

Republic of Finland. 2005. “Annual Holidays Act.” Act 162/2005. Helsinki: Ministry of Labor. [http://www.ilo.org/travaildatabase/servlet/workingtime?DocumentId=196&pageClass=org.ilo.legislation.work.web.LegalDocumentPage]

Republic of Finland. 2006. *Industrial Relations and Labour Legislation in Finland*. Helsinki: Ministry of Labour Brochure. Accessed April 27, 2007. [http://www.mol.fi/mol/en/99_pdf/en/92_brochures/8015e_working_life_relations.pdf].

Republic of Finland. 2007. “Working in Finland.” Helsinki: Finland Office of Health and Safety Inspectorates. (January 3). Accessed April 25, 2007. [http://www.tyosuojelu.fi/fi/workingfinland].

Swiss-American Chamber of Commerce. 2006. “Employment Law.” Accessed April 30, 2007. [http://www.amcham.ch/switzerland/m_labor_law_details.htm].

Switzerland Federal Office of Migration. 2006. “Living and Working in Switzerland.” Bern-Wabern: SFOM (January 10). Accessed April 30 2007. [http://berufsberatung.ch/dyn/bin/6195-11116-1-schweiz_ak_e.pdf].

United Kingdom Department for Work and Pensions. 2006. “Statutory Sick Pay (SSP)” Accessed April 25, 2007. [http://www.dwp.gov.uk/lifeevent/benefits/statutory_sick_pay.asp].

United Kingdom. 1998. Statutory Instrument 1998 No. 1833: The Working Time Regulations 1998. Ch. 13-16. Accessed April 25, 2007. [http://www.opsi.gov.uk/si/si1998/19981833.htm].

United Kingdom. 2007. "Advice Leaflet – Holidays and Holiday Pay." London: ACAS Fact Sheet. Accessed April 25, 2007. [http://www.acas.org. uk/media/pdf/l/j/AL03_1.pdf].

United Kingdom. No Date. "Holiday Entitlements: Introduction." Accessed April 27, 2007. [http:// www.direct.gov.uk/en/Employment/Employees/WorkingHoursAndTimeOff/DG_10029788].

United States Bureau of Labor Statistics. 2007. "Employer Costs for Employee Compensation – December 2006." Washington, D.C.: BLS (March 29). Accessed April 25, 2007. [http://www.bls.gov/news.release/archives/ecec_03142006.pdf].

United States Department of Labor. No Date. "Vacation Leave." Accessed April 25, 2007. [http://www.dol.gov/dol/topic/workhours/vacation_leave.htm].

Valais Economic Development Department. 2003. "Facts Concerning Switzerland for Entrepreneurs, Advisors, and Decision-Makers." Bern: Switzerland State Secretariat for Economic Affairs (January). Accessed May 1, 2007. [http://www.business-valais.ch/upload/files/factsconcerningSwitzerland.pdf].

For more information, please contact the editor Andrew Watt (awatt@etui-rehs.org). For previous issues of the EEE Policy Brief please visit www.etui-rehs.org/ publications.

You may find further information on the ETUI-REHS at www.etui-rehs.org.

 ISSN 1782-2165

The ETUI-REHS is financially supported by the European Commission.