

No-Vacation Nation

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Errata

The original version of this paper reported that Germany had only one paid public holiday and Switzerland had at least five, varying by canton. The correct number for Germany varies between nine and 13 by German state; Swiss law does not guarantee paid public holidays.

About the Authors

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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 requirement 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 between five and 13 paid holidays per year.

In the absence of government standards, almost one in four Americans have no paid vacation and no paid holidays. According to government survey data, the average worker in the private sector in the United States receives only about nine 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).

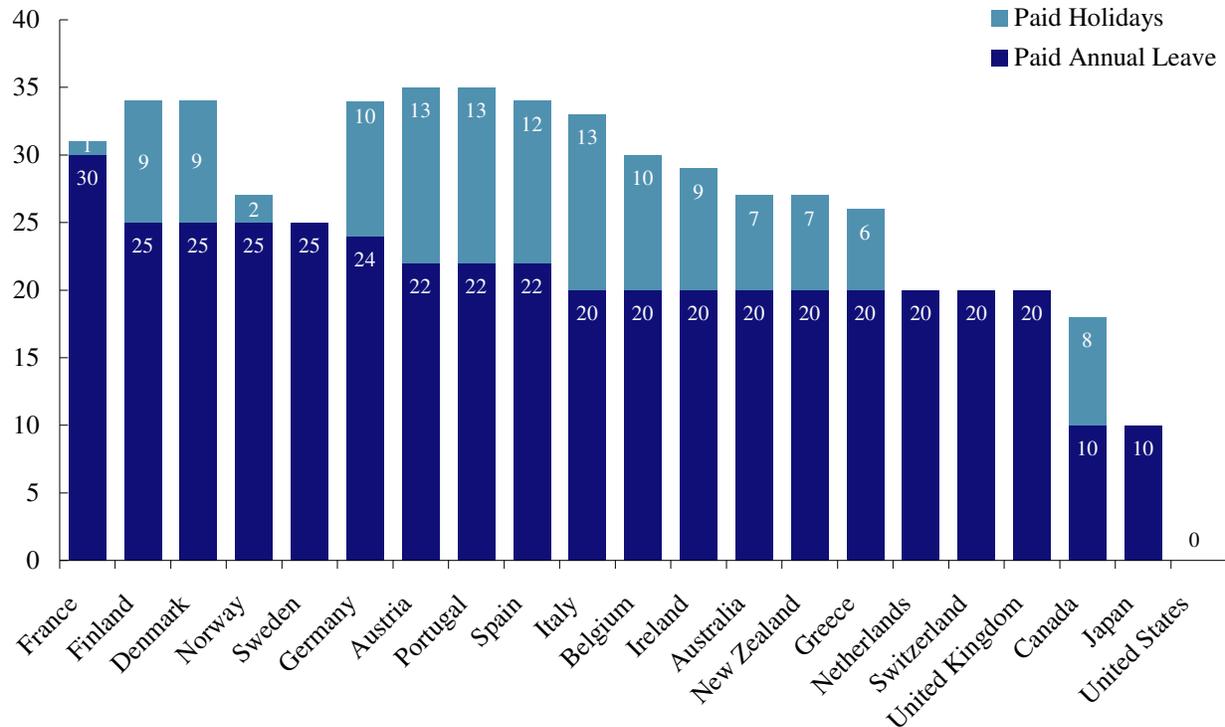
The paid vacation and paid holidays that employers do make available is distributed unequally. According to the same government survey data, lower-wage workers are less likely to have any paid vacation (69 percent) than higher-wage workers are (88 percent). The same is true for part-timers, who are far less likely to have paid vacations (36 percent) than are full-timers (90 percent). The problems of lower-wage and part-time workers are magnified if they are employed in small establishments, where only 70 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. For example, the average lower-wage worker (less than \$15 per hour) with a vacation benefit received only 10 days of paid vacation per year in 2005, compared to 14 days of paid vacation for higher-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 lower-wage and higher-wage workers is even larger: only 7 days for lower-wage workers, compared to 13 days for higher-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. Three countries even mandate that employers pay vacationing workers a small premium above their standard pay in order to help with vacation-related expenses. Almost every other rich country has 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.

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 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 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; Finland, Sweden, and Denmark, 25; and Germany, 24. Several EU countries offer paid holidays over and above the EU statute for paid annual leave. Austrian, Portuguese, and Italian 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, Belgium requires 10 paid holidays; and Denmark and Ireland, nine.

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)	7
Austria ²	30 calendar days (36 after 6 years)	13
Belgium ²	20 work days	10
Canada ^{*3}	2 weeks (3 with seniority)	8
Denmark ²	5 weeks	9
Finland ^{*1}	4 weeks (5 after 1 year)	9
France ²	30 work days	1
Germany ^{*1}	24 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 ⁴	4 weeks	13
Japan ⁵	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	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	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 (n.d.) a.
2. European Commission (n.d.) a.
3. Canada DHRSD 2006.
4. Heymann et Al. 2004, European Union 1993.
5. ILO (n.d.) b., Japan (n.d.)
6. Fellesforbundet 2005.
7. European Commission (n.d.) b.
8. 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 7 paid 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 vacation to workers based on their seniority. (In Canada, provincial governments set vacation policy. The ten day estimate in Figure 1 is representative of the country; 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, 2006

	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	76	12	8	9	6
Full-time	90	88	13	8	12	7
Part-time	36	37	9	6	3	2
<i>Hourly wage</i>						
Less than \$15 per hour	69	67	10	7	7	5
\$15 per hour or higher	88	88	14	9	13	8
<i>Establishment size</i>						
Small (1-99 workers)	70	68	11	8	8	5
Medium to large (100+)	86	86	14	9	12	8

Source: Authors' analysis of BLS (2006) analysis of National Compensation Survey, Tables 19, 20, and 21. 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. 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 2006 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 76 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 paid 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 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 nine 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. Lower-wage workers are less likely (69 percent) than higher-wage workers (88 percent) to have paid vacations. The same is true for part-timers, who are far less likely to have paid vacations (36 percent) than are full-timers (90 percent), and for employees in small establishments, where only 70 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 lower-wage worker (less than \$15 per hour) with a vacation benefit received only 10 days of paid vacation per year, compared to 14 days of paid vacation for higher-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 lower-wage and higher-wage workers is even larger: only 7 days for lower-wage workers, compared to 13 days for higher-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. Spain has 12 paid public holidays. Portugal, Italy, and Austria have 13 each; Belgium, 10; Denmark, Ireland, and Finland, nine each; Canada, eight (on average, though the number varies by province); Australia and New Zealand, seven; 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 Japan, the Netherlands, Sweden, 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. Three 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), and Switzerland (an extra week). 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, 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 vacation after five to 10 years.

Two nations 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

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 summer blocks include Sweden and Finland (four consecutive 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. 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.

Bonus Pay for Vacation Periods

Austria, Sweden, and New Zealand 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. In New Zealand and Sweden, annual leave is paid at a higher rate than the worker's usual salary; 112 percent the usual pay in New Zealand and 108 percent 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 vacation 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 vacation 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.

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 — 15 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. Lower-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” (EU 2003: 11). Nations were initially granted a three-year implementation period, beginning in 1996, in which they could provide for only three weeks of annual leave.¹

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 percent of their salary). The Australian Bureau of Statistics reports that 27 percent of all Australian workers are casual, but this figure drops to 23 percent if owner managers are removed from the category. On the other end of the spectrum, continuous shift workers receive additional paid leave of 1/52 of time worked, or 25 percent more than other employees. Finally, in addition to paid annual leave, workers are guaranteed at least seven paid holidays: January 1 (New Year’s Day), January 26 (Australia Day), Good Friday, Easter Monday, April 25 (Anzac Day), December 25 (Christmas), and December 26 (Boxing Day).

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 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 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 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 holidays. In lieu of the holiday, employees receive an additional paid day off, and 150 percent of their usual wage for the hours worked on the public holiday (although some contracts may alter this allowance).²

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

¹ EU 1993.

² Australia OEA 2007b; See also Commonwealth of Australia. 1996. Workplace Relations Act, as amended up to Act No. 153 of 2005 and SLI 2006 No. 68. Cited in ILO (n.d.) a.

additional six calendar days, for a total of 36 calendar days of leave.³ 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 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.⁴

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, 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.⁵

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. In other words, a worker is not guaranteed the right to take any vacation time until after her first year with her employer.⁶

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.⁷ 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.

³ "Living and Working Conditions: Austria." 2007. Database entry in EC (n.d.) a. Accessed 4 April 2007. [<http://europa.eu.int/eures/main.jsp?countryId=AT&acro=living&lang=en&parentId=0>].

⁴ Republic of Austria. Annual Leave Act, Home Work Act, and Heavy Night Work Act. Cited in ILO (n.d.) a.

⁵ "Quality of Work, Austria: Working Hours/Working Time." 2006. Database entry in European Foundation (n.d.) b. Accessed 27 April 2007. [<http://www.fr.eurofound.eu.int/emire/AUSTRIA/ANCHOR-ARBEITSZEIT-AT.html>], and ILO (n.d.) a.

⁶ 2006. "Living and Working Conditions: Belgium." 2006. Database entry in EC (n.d.) a. Accessed 21 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=BE&acro=living&lang=en&parentId=0>].

⁷ Flanders Investment and Trade 2007.

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.⁸ 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	9
Manitoba	2	5	7
New Brunswick	2	8	6
Newfoundland	2	15	5
Nova Scotia	2	8	5
Nunavut**	2	6	9
Northwest Territories**	2	6	10
Ontario	2	***	8
Prince Edward's Island	2	***	5
Quebec	2	5	8
Saskatchewan	3	10	9
Yukon	2	***	9

* Under federal jurisdiction, after six years of job tenure, workers' vacation pay rises from two to three percent of their annual salary per week of vacation.

** In Nunavut and the Northwest Territories, workers' six years' tenure (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 30 days of annual leave per year worked, prorated at 2.5 days per month worked between May 2 and April 30. Under the now-common 5-day workweek, this translates to 25 workdays 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. 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 percent 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

⁸ Canada Department of Human Resources and Social Development 2001, 2006a, 2006b.

Easter), Ascension Day, Constitution Day (June 5, from noon), Whit Monday (50 days after Easter), Christmas, and December 26.⁹

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, 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.¹⁰

Holidays vary among localities. Nationally, Independence Day is treated as a paid public holiday. Local governments set rules regarding other holidays, observing an average of nine days.¹¹

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). 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.¹² 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.¹³

⁹ Embassy of India in Copenhagen 2002.

See also "Living and Working Conditions: Denmark." 2006. Database entry in EC (n.d.) a. Accessed 21 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=DK&acro=living&lang=en&parentId=0>].

¹⁰ "Living and Working Conditions: Finland." 2005. Database entry in EC (n.d.) a. Accessed 21 March 2007.

[<http://europa.eu.int/eures/main.jsp?countryId=FI&acro=living&lang=en&parentId=0>].

See also Republic of Finland. Ordinance on the Working Time of Civil Servants. Cited in ILO (n.d.) a.

¹¹ ILO 2001, Republic of Finland 2005, 2006.

¹² "Quality of Work, France: Public Holidays." 2006. Database entry in European Foundation (n.d.) b. Accessed 1 May 2007. [<http://www.fr.eurofound.eu.int/emire/France/PUBLICHOLIDAYS-FR.html>].

¹³ "Living and Working Conditions: France." 2003. Database entry in EC (n.d.) a. Accessed 26 March 2007.

[<http://europa.eu.int/eures/main.jsp?countryId=FR&acro=living&lang=en&parentId=0>].

"Quality of Work, France: Public Holidays." 2006. Database entry in European Foundation (n.d.) b. Accessed 27 April 2007. [http://www.fr.eurofound.eu.int/emire_old/France/PUBLICHOLIDAYS-FR.html].

See also: France. 2004. Labour Code, Decree No. 2004-1381 of 21st December 2004. Cited in ILO (n.d.) a.

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. 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.¹⁴

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.¹⁵

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.¹⁶

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.¹⁷

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.

¹⁴“European Job Mobility Portal: Living and Working Conditions: Germany.” 2006. Database entry in EC (n.d.) a. Accessed 27 March 2007 [<http://europa.eu.int/eures/main.jsp?countryId=DE&acro=living&lang=en&parentId=0>] and ILO (n.d.) a.

¹⁵Der Deutsche Gewerkschaftsbund (n.d.), Federal Republic of Germany 2005.

¹⁶“Living and Working Conditions: Greece.” 2006. Database entry in EC (n.d.) a. Accessed 27 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=GR&acro=living&lang=en&parentId=0>].

¹⁷“Quality of Work, Greece: Public Holidays.” 2006. Database entry in European Foundation (n.d.) b. Accessed 27 April 2007. [<http://www.fr.eurofound.eu.int/emire/GREECE/PUBLICHOLIDAYS-GR.html>].

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 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.¹⁸

Italy

Workers in Italy are covered by the European Union Working Time Directive, which guarantees four weeks of annual leave per full-time employee.¹⁹ 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 25), St. Stephen's Day (December 26), and the festival of the 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 for doing so.²⁰

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 percent 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.²¹

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

¹⁸“Living and Working Conditions: Ireland.” 2004. Database entry in EC (n.d.) a. Accessed 27 March 2007. <http://europa.eu.int/eures/main.jsp?countryId=IE&acro=living&lang=en&parentId=0>].

¹⁹EU 2003.

²⁰“Living and Working Conditions: Italy.” 2005. Database entry in EC (n.d.) a. Accessed 27 March 2007. <http://europa.eu.int/eures/main.jsp?countryId=IT&acro=living&lang=en&parentId=0>].

²¹Japan 1999, 2002.

observe other 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.

New Zealand

The Holidays Act 2003 covers vacation and holiday pay in New Zealand. The Act guarantees workers four weeks of annual paid leave, with an additional holiday pay allowance of 8 percent of their gross earnings since their last anniversary date. From the passage of the Act until April 1, 2007, employers were only required to provide three weeks' leave and a 6 percent holiday pay allowance, phasing in the requirements.

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 holiday falls on a day when the employee would usually work, they receive an alternative day off. 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), Labour Day (the fourth Monday in October), and Provincial Anniversary Day.²²

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 age 60 receive one additional week of vacation, for 31 working days. Rather than earning vacation time on a pro rata basis, employees are eligible for a full 25 working days of vacation 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 vacation time from their current employer if they have already received full vacation 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 holiday 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.²³

²²New Zealand 2003b.

²³"Living and Working Conditions: Norway." 2005. Database entry in EC (n.d.) a. Accessed 28 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=NO&acro=living&lang=en&parentId=0>].

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.²⁴

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. First, employees who have been employed for less than one year are allotted two working days of leave for each month of their employment, up to 20 days. Second, employees who begin working in the first half of the year must wait at least six months before using their vacation days. Finally, employees who begin working in the first half of the year must only wait 60 working days before being able to use 8 vacation days (before the next January 1).²⁵

To accommodate vacation 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 vacation time 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 vacation days. Vacation days may be carried over from one year to the next, but must be used by April of the following year.²⁶

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.²⁷ 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 holidays up to 25 percent of the time worked.²⁸

Spain

Paid vacations 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 vacation 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 holidays.²⁹

²⁴ Kingdom of Norway 1995, 2006; Fellesforbundet 2005.

²⁵ "Living and Working Conditions: Portugal." 2006. Database entry in EC (n.d.) a. Accessed 28 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=PT&acro=living&lang=en&parentId=0>].

²⁶ Ibid.

²⁷ Portuguese Republic 1991.

²⁸ European Commission of Social Rights 2003.

²⁹ ILO (n.d.) a., Kingdom of Spain 1994,

"Living and Working Conditions: Spain." 2006. Database entry in EC (n.d.) a. Accessed 29 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=ES&acro=living&lang=en&parentId=0>].

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 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 their leave, they will still receive the holiday pay for their unused leave.³⁰

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).³¹

Finally, there are 12 public holidays in Sweden, but employers are not required to provide paid leave on these days.³²

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 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 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 leave³³. 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).³⁴ In each canton, workers have at least eight public holidays.³⁵ Employees who must work on public holidays receive a wage premium for those hours.³⁶

“Practical Guide for Foreign Researchers in Spain 2006.” Database entry in EC (n.d.) b. Accessed 26 April 2007. [http://www.era-careers.es/fecyt/guia/guiahtml12_en.jsp].

³⁰“Living and Working Conditions: Sweden.” 2006. Database entry in EC (n.d.) a. Accessed 29 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=SE&acro=living&lang=en&parentId=0>].

³¹ ILO (n.d.) a.

³² Kingdom of Sweden 2007, “EU Throws in the Towel.”

³³ Valais Economic Development Department 2003.

³⁴“Living and Working Conditions: Switzerland.” 2007. Database entry in EC (n.d.) a. Accessed 21 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=CH&acro=living&lang=en&parentId=0>].

³⁵ Swiss-American Chamber of Commerce 2006.

³⁶Switzerland Federal Office of Migration 2006.

United Kingdom

In the United Kingdom, all full-time and part-time employees are guaranteed at least four weeks' annual leave. In practice, this means that employees who work more hours per week also receive a greater amount of 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.³⁷

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 holidays and require their employees to take those days as part of their annual leave.³⁸

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.³⁹

³⁷ UK 1998, and "Living and Working Conditions: United Kingdom." 2005. Database entry in EC (n.d.) a. Accessed 21 March 2007. [<http://europa.eu.int/eures/main.jsp?countryId=UK&acro=living&lang=en&parentId=0>].

³⁸ UK 2007, (n.d.).

³⁹ USDOL (n.d.).

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