

## Holiday pay

***If you work as a music teacher for a third party such as a school, music service or organisation, you may be entitled to holiday pay.***

### Am I entitled?

- If you are an **employee** or a **worker** you are legally entitled to 28 days of paid holiday a year. This is worked out pro rata for part-time work, so if you worked 2.5 days per week you would be entitled to 14 days of paid holiday.
- You are not entitled to statutory holiday pay if you are **self-employed**.
- If you work on an **hourly basis**, you are still entitled to statutory paid holiday. This should be expressed as a percentage of your hourly rate. The percentage of holiday pay per hour is 12.07%.
- The rules on working out your holiday pay if you do not work for the whole year are complicated and we recommend you **seek advice** on your particular circumstances.
- Your contract of employment may give you the right to take more than the statutory amount of paid holiday. It cannot give you less.

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Jane is employed 10 hours a week at a school and her hourly rate of pay is £24.50. Therefore her holiday pay entitlement is £2.96 (12.07%) per hour *in addition to* her teaching rate. Jane is therefore on £27.46 per hour.

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### Bank holidays

Workers do not have a statutory right to paid time off for bank holidays. Some employers will therefore include bank holidays within the 28 days of statutory leave. Unless your contract expressly says that bank holidays are paid, you should not assume paid time off.

### 'Rolled up' holiday pay

Employers are not permitted to 'roll up' holiday pay within the hourly rate of pay. Employers must separate holiday pay from the paid period of work and this should be documented in a contract, letter of employment or on a pay slip.

### Summary

- You are entitled to statutory holiday pay if you are an employee or a worker. To find out more about worker status, see The Teacher's Toolkit 'Employment Status' factsheet.
- Seek advice from your MU Regional Office if you are unclear about how your holiday pay should be calculated, or want to discuss your particular circumstances.
- For more information: <https://www.gov.uk/holiday-entitlement-rights/entitlement>