**NAME (PAYROLL NO)**

**Background**

An employee has ?? days annual leave plus 7 public holidays. They had taken ?? days of their 20?? Entitlement prior to going off sick on ??. They did not take any further annual leave before returning to work on ??.

**Pattern of Absence**

?? days absence from ?? to ??

?? days absence from ?? to ??

**?? days absence in rolling 12 month period**

**Solution**

The employee meets the 90 day abatement trigger. The period of absence spans 2 leave years; therefore both annual leave years should be abated proportionately. The abatement calculation should be based on the 12 month period prior to the return to work date i.e. all absences within the period ?? to ??

**Abatement Calculation for 20??**

(365-??) x ?? = ?? days (rounded to the nearest half day)

365

Abated annual leave entitlement for 20?? = ?? days

Public holidays which fall outwith sickness absence period(s) = ?? days

Abated entitlement would be ?? days (annual leave + public holidays).

**Note** - this figure would have to be **increased** to 28 days (including public holidays) in order to meet the statutory minimum.

Annual leave days already taken and public holidays which fall outwith sickness absence period(s) (?? + ?? i.e. ?? days) should be **deducted** to give a total of **?? days** remaining for 20??. These days can be carried forward to 20??.

**Abatement Calculation for 20??**

(365–??) x ?? = ?? days (rounded to the nearest half day)

365

Abated annual leave entitlement for 20?? = ?? days

Public holidays which fall outwith sickness absence period(s) = ?? days

This gives a combined total of 28 days leave for 20??. This meets the statutory minimum.

However, had the combined total fallen below the statutory minimum, the total would need to be increased to ensure that the employee received 28 days. As this figure is inclusive of the public holidays which fell outwith sickness absence period(s) for the year, these would have to be deducted i.e. in this example, the 5 days public holidays which fell outwith sickness absence period(s).

**Total Number of Days Due**

The employee’s total abated annual leave entitlement for 20?? is therefore:

?? days (entitlement for 20?? i.e. ?? days minus ?? public holidays which fell outwith sickness absence period(s))

Plus ?? days (carried over from 20??)

**Total ?? days**