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Cadw'n ddiogel yn ystod Pandemig y Coronafeirws

Sut i nodi pa wyliau blynyddol y gellir eu cario drosodd?

Mae'r Gyfarwydddeb Oriau Gwaith yn dawel ynagl n â'r drefn y tybir y caiff y gwahanol ddsbarthiadau o wyliau eu cymryd.

Mae hyn yn golygu bod yn rhaid i weithwyr fod â hawl i gymryd yr 1.6 wythnos o wyliau blynyddol (o dan Reoliad 13A) yn y flwyddyn y mae'r gwyliau yn cronni ynddi, oni bai bod cytundeb perthnasol sy'n caniatáu iddynt gael eu cario drosodd.

Os nad oes cytundeb o'r fath yn bodoli, unwaith eto, gall hyn fod yn rhywbeth i'w drafod â'r cyflogwr er mwyn osgoi dryswch neu anhawster.

Annual leave during the Coronavirus Pandemic

The Government passed emergency legislation relaxing the restriction on carrying over the four weeks leave derived from the Working Time Directive (WTD).

The *Working Time (Coronavirus) Amendment Regulations 2020* amend Regulation 13 of the Working Time Regulations 1998 to permit the carry-over of untaken WTD leave where it was not reasonably practicable to take it in the leave year 'as a result of the effects of the coronavirus (including on the worker, the employer, the economy or society)'. (New Regulation 13(10)).

The law was changed to allow for leave that could not be taken because it was not reasonably practicable to take it due to Covid 19. This change allows for leave to be carried over and taken in the next two annual leave years. (New Regulation 13(11)). This is intended to alleviate the challenge of large parts of the workforce having twice as much holiday in 2021 as they normally would if they were unable to take it due to the coronavirus outbreak.

Workers are entitled by statute to 5.6 weeks holiday. However of that total 4 weeks statutory leave has always been subject to 'use it or lose it' provisions under the WTR which prevent it from being carried over to another year. This has now changed.

Reasonably practicable

