

HOLIDAY PAY - FLOW CHART

1. **Branch Secretaries together with Legal & Medical Secretaries (where appropriate) and in conjunction with the Lead Divisional Rep from each Division** need to give the widest possible circulation to this LTB to inform members of their rights to make claims for the “non-payment of holiday pay” whilst on leave for each week or period of leave from the start of April 2019.
2. These members do not need to be grade specific as the claim is about employer v employee.
3. It does not matter whether these members are part-time or full-time as this is about additional hours worked and average earnings.
4. Claims for holiday pay entitlement only covers the first 20 days of any annual leave. Therefore members taking leave should submit a claim based on their average wages over the previous twelve weeks.
5. ET Claims need to be submitted no longer than 3 months from their last period of leave or the claim will be null and void.
6. To commence the process a grievance must be formally registered with Royal Mail Group and the claimant must then immediately complete step 7 below in order to protect the claim. (Grievance timescales are 1-14 days with manager, 5-28 days second line manager and appeals 12-42 days but can be progressed unilaterally).
7. All claimants must complete and submit the on-line ACAS Early Conciliation application which requires details of themselves, who the claim is against, **i.e. Royal Mail Group, the basis of the claim, non-payment of holiday pay and in the section regarding representation they should put either the name of their Branch Secretary or Legal and Medical Secretary and their address.**

8. Claimants will receive notification from ACAS that their claim has been successfully lodged.
9. ACAS will contact Royal Mail to enquire if they are interested in early conciliation (we expect the answer to be negative). If this happens that will be the end of the early conciliation process and ACAS will notify the member and provide them with an appropriate certificate.
10. Once the member receives the ACAS certificate which states the process has concluded, members must then immediately submit a claim to an Employment Tribunal (usually on-line) using form ET1. Please note our members must include the ACAS early conciliation certification reference number, which must be included in the appropriate section of the ET1 application form.
11. The Employment Tribunal Office will send confirmation to the member that their ET1 application has been successfully lodged. **Please note in the section of the ET1 form regarding representation, the member must again complete this by stating the name and Office address of either their Branch Secretary or Legal and Medical Secretary.** The Employment Tribunal Offices will then contact this representative and it will be the intention to liaise with the Tribunal Service in order to request that all the claims are grouped as a collective claim against Royal Mail. This will then be done in conjunction with the Union's Solicitors at Unionline.