

Annual Leave and Rest Breaks

Overview

Our Island Plan sets out a vision of a secure, vibrant and sustainable Island, with a commitment for the Department for Enterprise to deliver reforms to employment legislation, ensuring the Island is aligned with international standards and remains a competitive and attractive place to work.

Though in 2017 the Equality Act made a number of significant changes to employment law in the Island in relation to discrimination, over a number of years the Isle of Man has been falling behind international standards in relation to employment rights. The Department intends to make a number of changes to employment law in the current administration.

In 2022, the Department consulted on a number of topics that came to make up the Employment (Amendment) Bill 2023 that completed its progress through the Legislative Branches earlier this year. Those measures, which focused mainly on family leave rights and whistleblowing, will be implemented in the spring of 2025.

Why your views matter

The Department now seeks to make further improvements to employment legislation on the Isle of Man. **This consultation seeks views on statutory provision of annual leave and rest breaks.**

The consultation is issued in tandem with a series of other consultations that can be found on the Consultation Hub in relation to Employment Rights.

Throughout this consultation, the UK's employment provisions may be referenced. It should be noted that now the UK is under a Labour Government, that this may change in the future.

Following this consultation, the Department will review the responses and use this information to inform the development of the Employment (Amendment) Bill that will be brought forward in 2025.

A summary of responses will be published on this page within 12 weeks of the consultation closing.

If you would like to find out more about the Island's current statutory employment rights, please visit the [Guides to Employment Rights page on gov.im \(opens on a new tab\)](https://www.gov.im/categories/working-in-the-isle-of-man/employment-rights/guides-to-employment-rights/) <<https://www.gov.im/categories/working-in-the-isle-of-man/employment-rights/guides-to-employment-rights/>> .

More information on the [Employment \(Amendment\) Bill 2023 \(opens in a new tab\)](https://www.gov.im/categories/working-in-the-isle-of-man/employment-rights/employment-amendment-bill-2023/) <<https://www.gov.im/categories/working-in-the-isle-of-man/employment-rights/employment-amendment-bill-2023/>> .

Reasonable adjustments and alternative formats

The Department is committed to equal opportunities and our aim is to make our documents easy to use and accessible to all.

We will take steps to accommodate any reasonable adjustments and provide such assistance as you may reasonably require to enable you to access or reply to this consultation.

If you would like to receive this document as a paper copy, in another format or need assistance with accessing or replying to this consultation, please email jasmine.cowin@gov.im or telephone +44 1624 686559.

Responding to this consultation

You can respond to this consultation online by clicking on the 'Online Survey' link below.

About you

Please note that most questions on this consultation are **optional**, with the exception of the consent question below 'May we publish your response'. There are multiple text boxes provided throughout the consultation, but you are not required to complete them unless you want to explain your view.

What is your name?

Name

What is your email address?

Email

Are you responding on behalf of an organisation?

Please select only one item

Yes

No

Organisation

In what capacity are you responding as:

For clarity, an **employee** is someone who works under a contract of employment and perform their services personally for the employer.

Workers are people who are engaged on a contract for services. The term 'worker' can be used to cover a wide range of working relationships e.g. casual workers, freelance workers, employment agency staff and some independent contractors.

Please select only one item

- Employer
- Employee
- Worker
- Self-employed
- Other (please specify)

Other:

If you employ other people, how many employees & workers do you have?

Please select only one item

- 0
- 1 to 10
- 11 to 25
- 26 to 50
- 51 to 100
- 100+

May we publish your response?

Please read our [Privacy Policy](#) for more details and your rights.

More information

- Publish in full – your first name and surname, organisation name, along with full answers **will** be published on the hub (your email will **not** be published)
- Publish anonymously – only your responses **will** be published on the hub (your name, organisation and email will **not** be published)
- Do not publish – **nothing will** be published publically on the hub (your response will only be part of a larger summary response document)

(Required)

Please select only one item

- Yes, you can publish my response in full
- Yes, you may publish my response anonymously
- No, please do not publish my response

Annual Leave

Statutory paid annual leave (i.e. the minimum time an employer must grant a person leave) is 4 weeks for employees on the Isle of Man.

For example, a person who works a 5 day week is entitled to 20 days of leave in a leave year.

Currently in the UK, statutory annual leave is 5.6 weeks which equates to 28 days for an individual who works a 5 day week.

Provisions differ across the UK and Crown Dependencies on if this should or should not include bank holidays. On the Isle of Man, this is currently the decision of the employer.

The following questions are based on an individual working a 5 day working week.

Do you support an increase in the statutory provision of paid annual leave allowance?

This is the number of days an employer **must** give their employee off per year.

Please select only one item

- Yes
- No
- Unsure

Please explain your view:

Do you support an increase in order to align paid annual leave to the UK's provision (5.6 weeks)?

Please select only one item

- Yes
- No
- Unsure

Please explain your view:

Do you think statutory annual leave should increase over 5.6 weeks?

Please select only one item

- Yes
- No
- Unsure

Please explain your view:

If you are an employer, what impact on your business do you think an increase in statutory paid annual leave would have?

Please select only one item

- Insignificant
- Minor
- Moderate
- Major
- Severe

Please explain your view:

Working Time and Rest Breaks

Currently on the Isle of Man, employers outside of those specified in the Shops Act 2000 (predominantly retail) are not legally obliged to give their staff rest breaks, other than breaks given for health and safety reasons and if the employee or worker is of school age. This includes the time that must pass between working days/shifts.

Neighbouring jurisdictions hold regulations that are based on the European Working Time Directive. These rules include limits to weekly working hours, a minimum daily rest period and a minimum weekly rest period.

There is potential for the Department to make rest breaks a legal requirement. If so, the Department may also need to specify how often these breaks must be taken and how long for.

Should statutory rest breaks be extended to all workers and employees?

These may be paid or unpaid.

Please select only one item

- Yes
- No
- Unsure

Please explain your view:

Do you feel that you have sufficient break times provided by your employer currently?

Please select only one item

- Yes
- No
- No opinion

In the UK, workers have the right to one uninterrupted 20 minute rest break during their working day, if they work more than 6 hours a day. Do you think this would be sufficient?

Please select only one item

- Yes
- No, more breaks are needed
- No, less break is needed
- Unsure

Please explain your view:

Do you think there should be a mandatory time that workers and employees should be provided between shifts/days?

Currently, an employer must provide sufficient time between working hours in order to not impose a health and safety risk. The Shops Act 2000 also lays out provision of maximum hours in a week but these primarily serve retail workers only.

For example, in Ireland, employees are entitled to a daily rest period of 11 consecutive hours per 24 hour period. This would mean that an individual would have to have 11 hours between finishing work, and starting their next working day.

Please select only one item

- Yes
- No
- Unsure

Please explain your view:

Additional comments

Do you have any other comments on any of the topics raised?