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4 june 2024

How should vacations be taken for staff working 4x4? This system consists of employees rotating weekly: in one week, some work 44 hours; another group 40 hour and another group 48 hour, and they rotate successively one month after the other (1 of 2).

Vacations are not related to the days that the parties have agreed to work. Vacations are always and, in any case, granted based on working days legally declared as such. And in this sense, the law provides that any employee who has one year of service is entitled to 14 working days of vacation; that is, 14 days from Monday to Saturday, which are the days legally declared as working days.

Calculating and granting vacation days based on the legal working days guarantees that everyone enjoys the same annual rest period. It also guarantees that there will be no absurd distortions or injustices, giving more vacation to those who work less and less vacation to those who work more.

And it is for this simple reason that it is not possible to calculate vacation days based on the days that each person works, but based on the legally working days.

For example, a janitor who only comes to work on Tuesdays and Thursdays. If we say that vacations must be given based

on the days he works, then, if he leaves on vacation, let's say on Wednesday, May 29, 2024, he would be returning from vacation on July 17, 2024; in other words, he would be on vacation for one month and 21 days!

Let's suppose now that another person works from Monday to Friday and leaves on vacation on the same Wednesday, May 29, 2024.

(continued in next column)