



- The employer does not calculate the average wage and pays to the employee fixed-amount wage if the employee's wage has not changed in the 6 months preceding the month when the need to calculate the average wage arises. For example, it is necessary to calculate the holiday pay to an employee in August and his or her wage has been a fixed-amount wage from February until July. The employee is paid the holiday pay, the amount of which equals to the wage which the employee would have received had he or she worked at the time.
- The employer pays to the employee fixed-amount wage also in the case where the employee has worked for less than 6 months (for example, has just commenced work, is on a sick leave or holiday) and has been paid fixed-amount wage for that period.

Expiry of holiday

- The annual holiday expires within one year as of the end of the calendar year. For example, if the employee works in 2014 so that he or she is entitled to a 28-calendar-day holiday, he or she can use it both in 2014 and the following year 2015.
- Expiry is suspended for the period when the employee is on pregnancy and maternity leave, adoptive parent leave and child care leave, as well as when the employee is undertaking military service or alternative service.

Study leave

- The employee has the right to a study leave, the use of which is governed by the Adult Education Act.
- The employee has the right to holiday without pay in order to take entrance examinations.

Acts on holidays www.riigiteataja.ee:

- Employment Contracts Act;
- Adult Education Act;
- Government of the Republic regulation of 11.06.2009 No. 91 "Conditions and procedure of payment of the average wage."



Additional information:
Ministry of Social Affairs
Gonsiori 29, 15027 Tallinn
e-mail: info@sm.ee, tel: 626 9301
www.sm.ee

Labour Inspectorate
Gonsiori 29, 15027 Tallinn
e-mail: ti@ti.ee, tel: 626 9400
Lawyer's hotline: 640 6000
Lawyer's e-mail: jurist@ti.ee
www.ti.ee



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HOLIDAYS





HOLIDAYS

Additional information
www.tooelu.ee

Holidays

- The employee is entitled to 28 calendar days of annual holiday per calendar year. Both part-time and full-time employees have the right to have an annual holiday.
- The time serving as the basis for the grant of annual holiday includes the time worked, the time of temporary incapacity for work, the time of holiday, the time of representing employees and the time agreed between the parties.
- The time of child care leave and holiday without pay granted by agreement of the parties is not included in the time serving as the basis for the grant of annual holiday.

Holiday schedule and use of holiday

- The employer prepares a holiday schedule for every calendar year, taking into account the reasonable wishes of employees.
- The holiday schedule must be communicated to employees during the first quarter of the calendar year.
- In the first year of work, the employee may receive a holiday after six months of work. Holidays are granted in proportion to the time worked.
- The following persons have the right to take a holiday at the time suitable for them:

- 1) A woman immediately before and after pregnancy and maternity leave or immediately after child care leave;
- 2) A man immediately after child care leave or during the pregnancy and maternity leave of a woman;
- 3) A parent raising a child of up to seven years of age;
- 4) A parent raising a child of seven to ten years of age – during the child's school holidays;
- 5) A minor subject to the obligation to attend school – during school holidays.

- The holidays in the holiday schedule may be changed by agreement of the parties.
- The scheduled holidays must be used as scheduled. The employee may use a holiday not included in the holiday schedule if he or she notifies the employer 14 calendar days in advance.
- Holidays may be used in several parts only by agreement of the parties. In such a case, the length of one part must be at least 14 calendar days.

Interruption and postponement of holiday Employer's right to interrupt and postpone holiday

- The employer has the right to interrupt or postpone a holiday only due to an unforeseen substantial work organisation-related emergency. The holiday may be interrupted or postponed primarily to prevent damages.
- The employer compensates the employee for the cost arising from the interruption or postponement of the holiday.
- If the holiday was interrupted or postponed, the employer grants the employee the unused portion of the holiday immediately after the circumstance interrupting or postponing the holiday ceases to exist or, by agreement of the parties, at another time.

Employee's right to interrupt, postpone or prematurely terminate holiday

- The employee has the right to interrupt, postpone or terminate prematurely his or her holiday due to significant reasons arising from the employee as a person, in particular due to illness, pregnancy and maternity leave.
- The employee must notify the employer of an impediment to using the holiday at first opportunity. For example, if the employee gets sick during the holiday, the employer must be notified and asked to interrupt the holiday. The issue of a certificate for sick leave does not automatically interrupt the holiday.

- The employee has the right to demand the unused part of the holiday immediately after the impediment to using the holiday ceases to exist or, by agreement of the parties, at another time.

Holiday pay

- The employee must be paid holiday pay in full no later than on the penultimate working day before the commencement of the holiday.
- The parties may agree on another time of payment of the holiday pay, which must not be later than the first payday after the holiday.
- During the time of the employment relationship, holiday must not be compensated for in money.

How is holiday pay calculated?

- The wage for annual holiday is calculated and paid on the basis of calendar days or as fixed-amount wage. The calculations should be proceeded according to the conditions and procedure of payment of the average wage established by the government of the Republic of Estonia.
- The basis of calculating the average wage is the wage earned and fallen due during the 6 months preceding the month when the need to calculate the average wage of an employee arises. The wage falls due on the payday. For example, if the average wage of an employee needs to be calculated in August, the basis is the wage earned from February to July the payday of which has arrived.
- To calculate the average remuneration for a calendar day, the wage payments are added up and divided by the number of calendar days in the same period.
- National days and public holidays are not included in the calendar days.
- The number of calendar days is reduced by the number of calendar days when wage is not calculated due to refusal to work (the employee was on a sick leave, on a holiday, in the military service, participated in a strike, represented other employees based on law, etc.).