**‘HOLIDAY PAY’ UPDATE**

*“*[***Supreme Court grants permission to appeal in voluntary overtime case***](http://feedproxy.google.com/~r/hrlawlive/~3/nPi9yIRHS4Q/supreme-court-grants-permission-to-appeal-in-voluntary-overtime-case.html?utm_source=feedburner&utm_medium=email)

***Supreme Court grants permission to appeal in voluntary overtime case***

*Last week the Supreme Court gave the East of England Ambulance Service NHS Trust permission to appeal from the Court of Appeal’s ruling that voluntary overtime needed to be included in the calculation of holiday pay for its workers.*

*Last year the Court of Appeal* [***ruled***](https://www.hrlawlive.co.uk/2019/06/employers-appeal-dismissed-in-flowers-litigation.html) *that pay for voluntary additional shifts needed to be taken into account, not only under the Working Time Directive, but also under the claimants’ standard NHS terms and conditions (known as “Agenda for Change”). Both aspects of this ruling will now be considered by the Supreme Court.*

*Its decision, which is not expected for at least several months, will be of interest to all NHS employers, as well as other employers who do not currently include voluntary overtime in their holiday pay calculations.”*

UNISON Yorkshire Ambulance Branch have today learned that the Supreme Court has granted the East of England Ambulance Service permission to appeal the decision from the Court of Appeal in regards to the ‘Holiday Pay’ claims that have been submitted, this means that the cases UNISON Yorkshire Ambulance Branch have submitted will be further delayed.

UNISON Yorkshire Ambulance Branch still believes that there is a high possibility of success with the Flower’s v’s East of England Ambulance Service case and we will continue to pursue the cases against Yorkshire Ambulance Service for our members.

We will keep our members informed when we receive any more information.