

Harpur Trust (Appellants) v Brazel (Respondent)

Case ID: 2019/0209

Case summary

Issue

Whether a worker's right to paid annual leave is accumulated according to the working pattern of the worker and/or is pro-rated.

Facts

The Respondent bears responsibility for the running of a school, while the Appellant was and remains a visiting music teacher. She is engaged on a zero-hours contract to work during term times and does not work full-time or for the whole year. She receives holiday period at three times during the school year.

In 2011, the Appellant altered the manner in which it calculated the amount of this holiday pay, with a result less favourable to the Respondent. The Respondent brought proceedings in 2015 before the Employment Tribunal, which decided against her on this issue, and then appealed to the Employment Appeals Tribunal, where she was successful.

Judgment appealed

[\[2019\] EWCA Civ 1402](#)

Parties

Appellant(s)

Harpur Trust

Respondent(s)

Lesley Brazel

Intervener

UNISON

Appeal

Justices

Lord Hodge, Lord Briggs, Lady Arden, Lord Burrows, Lady Rose

Hearing start date

9 November 2021

Hearing finish date

9 November 2021

Watch hearing

9 November 2021 [Morning session](#) [Afternoon session](#)