
WELSH STATUTORY INSTRUMENTS

2017 No. 1058

The Agricultural Wages (Wales) Order 2017

PART 5 – Entitlement to time off

Determining the amount of bereavement leave

40.—(1) The amount of bereavement leave to which an agricultural worker is entitled following the death of a person within Category A is—

- (a) 4 days where the agricultural worker works their basic hours on 5 days or more each week for the same employer; or
- (b) where the agricultural worker works their basic hours on 4 days a week or less for the same employer, the number of days calculated in accordance with paragraph (2).

(2) Subject to paragraph (6), the amount of an agricultural worker’s entitlement to bereavement leave following the death of a person within Category A is to be calculated according to the following formula—

$$\frac{DWEW \times 4}{5}$$

(3) The amount of bereavement leave to which an agricultural worker is entitled following the death of a person in Category B is—

- (a) 2 days where the agricultural worker works their basic hours on 5 days or more each week for the same employer; or
- (b) where the agricultural worker works their basic hours on 4 days a week or less for the same employer, the number of days calculated in accordance with paragraph (4).

(4) Subject to paragraph (6), where this article applies the amount of an agricultural worker’s entitlement to bereavement leave following the death of a person within Category B is to be calculated according to the following formula—

$$\frac{DWEW \times 2}{5}$$

(5) For the purposes of the formula in paragraphs (2) and (4), DWEW is the number of days worked each week by the agricultural worker calculated in accordance with article 30 or 31 (as appropriate).

(6) Where the calculation in either paragraph (2) or (4) results in an entitlement to bereavement leave of less than 1 day, the entitlement is to be rounded up to one whole day.

(7) In circumstances where an agricultural worker has more than one employment (whether with the same employer or with different employers), paid bereavement leave may be taken in respect of more than one employment but must not exceed, in respect of any one occasion of bereavement, the maximum amount of bereavement leave specified for a single employment in this article.