



EFFICIENT ORGANIZATION OF EMPLOYEES' ANNUAL LEAVE

Rights and Obligations of Employers

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Annual leave represents one of the fundamental rights of employees in accordance with the Labor Law.

To ensure that this right is fully exercised, the Law sets out specific obligations for employers, enabling employees to use their annual leave in its entirety.

At the same time, the Law recognizes the employer's legitimate interest in maintaining business continuity, even during periods when employees are on annual leave. Therefore, the employer is the one entitled to organize employees' annual leave in a manner that ensures the uninterrupted operation of work processes during the vacation season.

In this article, we discuss how employers can organize annual leave in a way that ensures compliance with legal requirements, while also enabling transparent communication between employers and employees on this matter.

Manner of Using Annual Leave

Employees are entitled to use their annual leave in two parts. The employer may also allow an employee to use the leave in several parts, provided that such arrangement suits the employee and does not disrupt the work process. Taking the entire annual leave at once is also possible, but only with the employee's consent.

If annual leave is used in parts, the first part must be taken consecutively for a minimum of two working weeks, while the remaining portion must be used no later than June 30 of the following year.

Accordingly, the employer must ensure that employees use the first part of their annual leave within the current calendar year and that this part lasts for at least two consecutive working weeks.

The only exception allowing the first part of annual leave to be carried over into the following year applies to employees who were unable to use it due to maternity leave, leave for childcare, or leave for special childcare. However, even these categories of employees must use their annual leave no later than June 30 of the following year.

Scheduling of Annual Leave

As previously noted, it is the employer who decides on the schedule and timing of employees' annual leave, depending on business needs. At the same time, the employer is required to consult employees beforehand about the periods that would suit them best, in order to respect the purpose of annual leave and the needs of the employee.

Once the decision on the annual leave schedule is made, employers are obliged to prepare and deliver a formal Decision on the use of annual leave to each employee.

The Decision must be delivered:

- No later than 15 days before the starting date of the annual leave;

- Immediately prior to the leave, but only in cases where the leave is scheduled at the employee's request.

The Decision on annual leave may be delivered to employees in **electronic form**, while upon the employee's request, the employer must also provide it in written form.

In the case of collective annual leave, the Decision may be delivered by posting it on the employer's notice board at least 15 days before the start of the leave, without the need for individual delivery.

Finally, if, after the annual leave period has already been determined, business needs require a **change**, the employer may amend the previously scheduled period no later than five working days before the planned start of the annual leave. Naturally, such changes must be based on exceptional and unforeseen circumstances, not circumstances that could have been anticipated at the time when the schedule was originally determined.

Positive Examples from Practice

To successfully organize employees' annual leave, employers may strive to establish:

- **Clear internal regulations** (through employment agreements or employer's Labor rulebooks) governing the method for determining the duration of annual leave to which employees are entitled;
- **A system for tracking annual leave usage by employees** ensuring that both the employer and employees always have accurate information regarding the remaining unused days of annual leave;
- **A structured process for employees to timely notify the employer of their preferred period for taking annual leave**, enabling the employer to schedule leave in alignment with both operational needs and employee preferences;
- **Deadlines by which employees must inform the employer of their desired annual leave period**, allowing the employer to fulfill its obligation and ensure that even employees who have not expressed a preference still use their annual leave.

By implementing such measures, employers can ensure the lawfulness of their operations and avoid issues concerning unused annual leave, as well as potential misdemeanor liability.

Most importantly, such practices allow employers to ensure that employees use their right to annual leave, which represents one of the key conditions for preserving long-term working ability and employee well-being.

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