

割増賃金率・年次有給休暇時季指定権等の状況

規制改革推進室作成

国名	割増賃金率に関する原文	年休時季指定等に関する原文	上限規制に関する原文
オーストリア	Those working overtime are entitled to 1. an overtime premium of 50%.	The timing of the annual leave must be agreed between the employer and the worker, taking into account the needs of the employer and the opportunities for rest available to the worker. The leave period can be split into parts, provided each is of at least six working days in duration.	Notwithstanding any provisions of § 8, working time may be extended beyond the time admissible under § 3-5 at times of greater demand by five hours of overtime in any single week and in addition by no more than sixty hours of overtime within any single calendar year. However, no more than ten hours of overtime are admissible within any single week. Daily working time may not exceed ten hours. (以下略)
ベルギー	Overtime work shall be remunerated with an increase agreed upon by the employee and the employer, but not less than: 1. 50 per cent for work on working days; 2. 75 per cent for work on weekends; 3. 100 per cent for work on official holidays; 4. 50 per cent for work with an accumulated calculation of the working time.		The hours of work that a worker may perform, including overtime, is limited to 12 hours per day and 50 hours per week.
チェコ	A worker who performs overtime working hours is entitled to his wage plus premium of at least 25% of his average earnings.	A schedule of leave taking is established by the employer in agreement with the trade unions. As a rule, it allows the worker to take her/his annual leave en bloc and by the end of the calendar year. If the leave is divided, there must be at least one bloc of 2 consecutive weeks. This is determined by the employer in agreement with the trade union organization. The employer shall inform to the employee in writing, with at least 14 days in advance, of the time (period) determined for such employee's leave taking unless the employer and the employee agree on a shorter period of advance information.	The length of a shift may not exceed 12 hours.
デンマーク	(No statutory provisions.)	At least 15 days of leave ("the main holiday period") must be given as a consecutive period. The other days are to be given as consecutive periods of at least 5 days. If they total less than 5 days, they are to be given as a consecutive period. Where it is desirable for operational reasons, the other days of the holiday can be given as individual days. The employer fixes the time at which the holiday can be taken, after consultation with the employee. The employer must, with due consideration to the operation of the enterprise, meet the employees' wishes as regards the timing of the holiday, including the wish to take the main holiday during the school holiday of his or her child. The employer can change previously arranged holidays, if required by important, unforeseeable operational considerations. The employee is entitled to compensation for any financial loss suffered as a result of the postponement. Holidays which have already started cannot be changed.	The average working hours shall not exceed 48 per week (including overtime) calculated over a reference period of 4 months.
エストニア	In case the parties agree that overtime working hours are to be paid in money, these hours shall be compensated with an increase of 50% over the regular rate of payment.	(1) The time of annual holiday is set by the employer, taking into account the requests of employees which can be reasonably combined with the interests of the employer's enterprise. (2) An employer draws up a holiday schedule for each calendar year and communicates it to the employee within the first quarter of the calendar year. The annual holiday and unused holiday shall be indicated in the holiday schedule. If other holidays prescribed by law have been indicated in the holiday schedule, they shall be granted according to the schedule. (3) An employee shall notify the employer of the use of holiday not indicated in the holiday schedule 14 calendar days in advance in a format which can be reproduced in writing. (4) A holiday schedule may be amended by agreement between an employer and employee. (5) An employer has the right to interrupt or postpone a holiday due to an unforeseen substantial work organisation-related emergency, in particular for prevention of damage. (6) An employee has the right to interrupt, postpone or terminate prematurely a holiday due to significant reasons arising from the person of the employee, in particular due to temporary incapacity for work, pregnancy and maternity leave of participation in a strike.	Employees shall not be required to work overtime for more than 4 hours per day; and 48 hour maximum per week (including overtime) in average over 4 months. No shift can extend beyond 12 hours. A 200 hour limit per year can be applied with the consent of the employee, provided it does not result in exhaustion or harms the worker's health and the employee has the right to refuse additional overtime work. Separate records must be kept on this overtime work and the labour inspectorate can restrict or prohibit it.

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フィンランド	The wage payable for the first two hours of overtime above the daily regular working hours shall be the regular wage plus 50 per cent, and for additional hours the regular wage plus 100 per cent.	An employee is granted annual holiday at a time determined by the employer, unless the employer and the employee agree on arranging the holiday in other manner. A total of 24 days of leave must be taken in the summer holiday season (2 May to 30 September). The remainder (“Winter holiday”) must be taken by the start of the following holiday season. Summer and winter holidays must be granted as uninterrupted periods unless, for work continuity reasons, it is essential to divide the portion of the summer holiday exceeding 12 days into one or more parts.	The maximum amount of overtime during a four-month period is 138 hours, though 250 hours must not be exceeded in a calendar year.
フランス	Increase of not less than 10%, as determined by a collective or enterprise agreement. Where there is no collective agreement, increases of 25% (first 8 overtime hours) and 50% (subsequent hours) apply.	To be decided by collective agreement; date of leave should be between 1 May and 31 October. Annual leave of less than 12 days must be taken in one period. Maximum consecutive annual leave is 24 days in one period. If a period is fixed for the time of leave it can only be changed up to one month prior to the beginning except for special circumstances.	220 hours per year (in the absence of a collective agreement stipulating otherwise) Daily maximum limit (including overtime) of 10 hours Weekly maximum limit (including overtime) of 48 hours.
ドイツ	No relevant provisions identified.	連邦休暇法 § 7 time , transferability and withholding of leave (1) The timing of the leave, the leave the employee wishes to be considered, unless that urgent consideration of their operational interests or wishes of others Workers who earn a social point of priority to the contrary. The holiday is grant if the employee or the following a measure of medical coverage Rehabilitation required. (2) The leave shall be contiguous, unless that urgent operational or in person the employee lying reasons require a division of the holiday. Leave may from these Reasons will not be granted contiguously , and the employee is entitled to leave of more than twelve working days , as a part of the holiday must include at least twelve consecutive days.	A 10 hour limit is permitted, provided an 8 hour average is maintained over a 6 month or 24 week period. Collective agreements can: (1) specify a different reference period; (2) permit working hours to exceed 10 hours per day, provided that working time comprises a considerable amount of on-call or standby duty. It is possible to exceed these limits in emergencies and extraordinary circumstances where no other response is possible, particularly when there is a risk of the deterioration of raw materials or food or to profits, as well as for work that cannot be postponed, provided that 48 hours per week in average over a period of 6 months or 24 weeks are not exceeded.
ギリシャ	Overtime work from the 41st to the 45th or from the 41st to the 48th hour (depending on whether the company operates on a five- or a six-day week) is compensated at the current hourly wage, increased by 25%. The working hours beyond the 45th or 48th (six-day week) are paid at a rate increased by 50% of the hourly wage until 120 hours have been worked in a year, and at a rate increased by 75% of the hourly wage for hours worked beyond 120 hours.		4 hours per day.
ハンガリー	Employees shall be entitled to a 50 per cent wage supplement for the performance of overtime work on working days, and entitled to a 100 per cent wage supplement if carried out on rest days.	The annual leave period shall be scheduled by the employer taking into account the employee’s preferences. Unless otherwise agreed, at least 14 days of the vacation period shall be enjoyed consecutively. 7 out of the 20 days of vacation period shall be provided at the moment choosed by the employee. This period may be splitted in no more than 2 parts. The employee shall notify the employer of such request with at least fifteen days in advance. Employees shall get notice of the schedule of the annual leave period at least 15 days before the first day of vacation. Vacation time shall be enjoyed in the year in which it is due. If due to economic reasons of particular importance or any direct and consequential reason arising in connection with the employer’s operations, requires the modification or interruption of the employee’s vacation, the employer shall reimburse the employee for any damages and/or expenses incurred.	Based on an agreement between the parties, the daily working time in full-time jobs may be increased to not more than twelve hours daily for employees: a) working in stand-by jobs; b) who are relatives of the employer or the owner (extended daily working time). The regular daily working time may be reduced in full-time jobs pursuant to the relevant employment regulations or by agreement of the parties.

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アイスランド	Overtime is paid at an hourly rate equalling 1.0385% of the monthly wages for regular day work.	A continuous annual leave of 14 days shall be granted during the summer holiday season period (2 May to 15 September). By mutual agreement, parties may make an exception to this rule on the division of the holiday period. However, holidays shall always be taken before the end of the holiday allowance year. An employer shall, in consultation with his employees, decide when holidays are to be granted. He shall comply with the wishes of his employees, to the extent possible, as to when holidays are granted, taking into account the operations of his company. After the employer has ascertained the wishes of his employee, he shall, as soon as possible and at the latest one month before the beginning of the holidays, announce when they are to begin, unless special circumstances make this impossible.	Specific limits on overtime work are not provided. However the legislation states that the maximum working hours per week, including overtime, may not exceed 48 hours. In addition, as provided in the Icelandic Labour Law, it is unlawful for employers to schedule longer than 13 working hours on the same day. Therefore, taking into account the regular weekly and daily working limit (40 hours per week and 8 hours per day), the maximum number of overtime hours that a worker may perform is 8 hours per week or 5 hours on the same day.
アイルランド	Relevant provisions on overtime rates have been not identified. It seems that they shall be determined by collective agreements.	Employees working 8 months or more are entitled to an unbroken period of 2 weeks leave, unless otherwise regulated in a regulation order, registered employment agreement, collective agreement or any agreement between workers and employers. The employer may determine the times at which annual leave is granted to an employee, taking into account, after consultation with the employee or trade union: (1) the need for the employee to reconcile work and family responsibilities; (2) the opportunities for rest and recreation available to the employee.	There is no general weekly hours limit. The maximum average weekly working hours (including overtime) cannot exceed 48 hours.
イタリア	The worker must be paid for the overtime work performed 10 per cent of the regular salary paid for normal work.	Every worker is entitled to a period of annual paid leave, which shall be continuous, if possible, when the employer establishes it, taking into consideration the needs of the company and the interests of the worker.	250 hours per year Maximum weekly hours (including overtime) established by collective agreements shall not exceed an average of 48 hours, calculated over a reference period not exceeding 4 months.
ルクセンブルク	Where overtime work is compensated financially, the worker shall be provided with a 40% increase over hourly wage for each extra hour worked.	Annual leave must be approved at least one month in advance upon request from the employee. The employee may, in principle, plan his leave as he wishes. Nevertheless, the employer may object: - due to operational requirements, or; - due to the justified wishes of other employees (e.g.: in certain businesses, priority is given to employees with children). However, the employer cannot impose individual leave dates without the employee's approval nor force him to take unpaid leave. If the holiday leave is split up, it must include at least one period of 12 consecutive working days (except in the event of an agreement between the employer and employee). The employer must in principle grant leave and the employee must take it in full during the year in question. However, annual leave may be deferred: - until 31 December of the following year, on the employee's request, if it consists of leave accumulated during the first year of work for the employer that could not be taken in full; - until 31 March of the following year; if the employee was not able to take his leave due to operational reasons or the justified wishes of other employees; or if the employee still has days of annual leave when going on maternity leave, adoption leave or parental leave. - until after the date of the return to work if the employee has not been able to take annual leave due to sick leave (illness, sick leave due to an accident at work or occupational illness).	The general daily limit is 8 hours but daily work may be extended up to 10 hours, including overtime work.
オランダ	No statutory provisions on overtime pay.	Where the dates of the annual leave are not included in a written agreement, collective agreement, administrative body, or by law, the determination is made by the employer after consulting the worker. This determination must be made in sufficient time for the worker to be able to prepare for his or her leave, unless prevented by important reasons. The employer must take as much care as possible to ensure that the worker is able to take the consecutive period of leave in the period between 30 April and 1 October. The leave must be granted in periods of at least two weeks duration or one week if required by the business or preferred by the worker.	Workers shall not perform more than 12 hours of work per shift.

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ノルウェー	For overtime work a supplement shall be paid in addition to the pay received by the employee for corresponding work during normal working hours. The overtime supplement shall be at least 40 per cent.	The employee must discuss the fixing of holiday dates and setting up of holiday lists with each employee or representative. An employee may take 18 days of annual leave during the period from 1 June to 30 September. Remaining annual leave of 7 days may be taken together within the year.	Overtime work must not exceed; (1) 10 hours per week; (2) 25 hours per 4 consecutive weeks; or (3) 200 hours per year The weekly working limit is set in 48 hours (including overtime hours) on average over a 8 week period. When employees work more than 2 hours of overtime work, they must first be given a rest break of 30 minutes. The break is regarded as part of the working hours.
ポルトガル	Compensatory time off equal to 25 per cent of the hours of overtime done on normal working days, public holidays and additional weekly rest days. One full compensatory rest day must be granted for overtime performed on a weekly rest day. The rest period is to be granted in the next three working days.	The employer and the worker may agree on the period of the annual leave. In a small or medium enterprise, the employee can only schedule his period of holidays between 1 May and 31 October. The period of the annual leave can also be splitted but the employer has to take at least 10 consecutive days.	The following limits apply where the overtime is performed in response to a temporary increase in workload: 2 hours per day and: 175 hours per year (small enterprises) 150 hours per year (medium and large enterprises) Time-off equal to normal daily hours (weekly rest days and public holidays)
ロシア	50% increase (first 2 hours) 100% increase (subsequent hours)	A worker must be notified under signature about the time of commencement of the leave not later than two weeks before the commencement thereof. By agreement between a worker and employer, the paid leave may be divided into parts, one of which must not be less than 14 calendar days.	4 hours over a 2 day period and 120 hours per year.
スロバキア	An employee shall be entitled to wages earned and a wage surcharge equal to at least 25% of his/her average earnings for the performance of overtime work.	The employer shall schedule the annual leave upon negotiation with the employee in accordance with the paid holiday time-table determined with the prior consent of employees' representatives, in such a way that the employee may normally take his leave as a whole and by the end of the calendar year. When determining the annual leave, it is necessary to take into account the employer's tasks and the justified interests of the employee. Where the annual leave is split in several parts, one part at least shall have a minimum duration of two weeks, unless the employee and employer agree otherwise. The employer is obliged to announce the schedule of the annual leave 14 days prior to its commencement. Exceptionally, such period might be reduced with the employee's consent. If the employer needs to reschedule the annual leave he shall bear the costs of the employee for the changing of dates. If within the scheduled annual leave period falls a public holiday day, it shall not be calculated in the period of annual leave. The same apply for time-off that the worker may be entitled for having performed overtime work or on a public holiday. If the employee is not able to enjoy the annual leave period because of the enjoyment of maternity leave or parental leave, because a temporary incapacity due to disease or an accident, because of the enjoyment of a long term leave to perform a public function or trade union function, because he takes up service in the armed forces, or other reason on the side of the employee, the employer shall grant the corresponding annual leave when possible the enjoyment for the employee.	The employee's average weekly working time, including overtime, may not exceed 48 hours in total. Therefore, the limit of overtime work is set in 8 hours per week on average over a four consecutive month period (extendable to 12 months) and 150 hours per year. (Overtime work charged by the employer). In such yearly limit shall not be included the overtime working hours for which the employee received compensatory rest or when the overtime has been performed in case of urgent repair work or for avoiding work-related injuries or large scale damage according to special regulations. Overtime work shall be scheduled in the manner that the daily rest period between shifts shall be at least 8 hours.
スペイン	Collective agreements or individual contracts shall determine if the overtime will be paid, in no case at a lower rate of the ordinary working hours, or compensated with time off. If there is no agreement stipulating anything else, overtime will be compensated with equivalent rest periods within the following four months the overtime was worked.	The period of leave is fixed by agreement between employer and employee, in accordance with the collective agreement's annual leave planning.	80 hours per year
スウェーデン	Determined by collective agreement.	Unless otherwise agreed, annual leave dates shall be scheduled so that the employees have at least four weeks' annual leave during the period June to August. The leave period may be scheduled for some other time, even in the absence of agreement, if there are special reasons. The employer shall consult the employees with respect to the scheduling of other annual leave dates if negotiations with the employees' organisation have not taken place. If agreement cannot be reached, the employer shall decide when the leave shall be taken. If the employer decides to schedule the annual leave other than as agreed with the employee or the employee's representative, the employer shall notify the employee at least 2 months before the commencement of the leave. An employee who is entitled, during the course of an annual leave year, to more than twenty days of annual leave with pay, may carry over one or more remaining days to a subsequent annual leave year.	When there is a special need of performance overtime work, the employer may require the performance of not more than 48 hours over a 4 week period, 50 hours in one calendar month, and up to 200 hours per year. (General overtime)

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スイス	For overtime work, the employer must pay to the worker an additional 25% increase over the regular payment as overtime rate.		Overtime may not exceed 2 hours per day, unless it is a holiday or in case of necessity, nor the following number of hours per year: 170 hours per year, for those working in a 45 hours weekly limit; 140 hours per year, for those working in a 50 hours weekly limit.
イギリス	No statutory provisions regulating compensation for overtime identified.	Annual leave to which a worker is entitled under the Working Time Regulations may be taken in instalments, but: (a) it may only be taken in the leave year in respect of which it is due, and (b) it may not be replaced by a payment in lieu except where the worker's employment is terminated. A worker may take leave to which he is entitled on such days as he may elect by giving notice to his employer in accordance with r15(3) of the Working Time Regulations, subject to any requirements imposed by the employer with respect to days on which annual leave may or may not be taken.	The maximum weekly hours limit (48 hours per week) includes overtime hours. No other provisions regulating overtime identified.
ブラジル	50% increase	The employer may decide to grant the employees a collective annual leave, which may be divided into two periods, none of which consists of less than 10 days.	2 hours per day.
カナダ	50% increase. In British Columbia, 50% increase (work beyond 8 hours a day) and 100% increase (work beyond 12 hours a day).	Where an employee is entitled to an annual vacation and there is no agreement between the employer and employee concerning when the vacation may be taken, the employer shall give the employee at least two weeks notice of the commencement of the employee's annual vacation. Annual leave is to be granted within 10 months of the completion of the year's employment during which the entitlement accrued.	FEDERAL: 48 hours (including overtime) ONTARIO: In general 48 hours per week. Work exceeding 44 hours per week are remunerated as overtime work. (以下略)
チリ	Overtime hours are paid with an increase of 50% calculated on the rate of wage agreed for a normal working day. If there is no agreement on the wage of the worker or if lower than the minimum wage rate, overtime work shall be compensated with an increase of 50% of the minimum wage rate.	For the purposes of scheduling the annual leave, Saturdays are always considered as official holiday days. The annual leave shall be enjoyed continuously. However, after the 10 first days of annual leave, the remaining may be split by agreement. Annual leave may be accumulated and be enjoyed continuously up to two consecutive periods. The employers may provide to all workers or part of workers of their establishments or undertakings, the enjoyment of annual leave at the same time for a minimum of 15 working days, for the purposes of closing temporarily this activity.	In tasks which by their nature do not affect the worker's health, it may be agreed the performance of overtime work up to a maximum of 2 hours per day.
メキシコ	Overtime hours shall be paid with an 100% increase of the normal rate. If the worker has performed more than 9 hours of extra work per week he is entitled to 200% of compensation.	Annual leave shall be enjoyed within the 6 months after the reference year of work. The employer shall issue a yearly record for each worker stating his length of service and, based on that, the period of leave entitlement and the date on which the leave is to be taken. Workers shall enjoy continuously at least 6 days of leave.	The general limit for overtime is set in 3 hours per day, and not more than 3 times per week.
アメリカ合衆国	50% increase	No federal statutory provisions establishing an entitlement to annual leave identified.	No general limit on overtime identified.
オーストラリア	Overtime rates are to be set by the relevant modern award.	Paid annual leave may be taken for a period agreed between an employee and his or her employer. The employer must not unreasonably refuse to agree to a request by the employee to take paid annual leave.	The only limit on overtime hours prescribed by the Fair Work Act 2009 is that additional hours requested or required by an employer are to be reasonable. An employee may refuse a request to work unreasonable additional hours. Further limitations may be prescribed by the relevant award or enterprise agreement
中国	Overtime is to be paid at no less than 150% of the normal wages.	An employer may, in light of the actual production and work situation, plan the annual leave of its employees as a whole on the basis of the employees' own wills. Annual leave may be taken in a single block, or in multiple periods over the course of a year, but should be taken in the year in which the entitlement accrues. Where an entity needs to 'round it up' to the next year for special production or work reasons, annual leave entitlements may be rounded up to the next year only.	Where required due to special reasons, up to 3 hours of overtime work may be required under the condition that the health of the labourers is guaranteed. However, overtime in a month shall not exceed 36 hours.
インド	Where a worker works in a factory or in scheduled employment for more than nine hours in any day or for more than forty-eight hours in any week, he shall, in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages.	A scheme for the taking of annual leave may be agreed by the employer, works committee (or similar) and the Chief Inspector to ensure the continuity of work. Workers may request to take all or a portion of leave by written request to the manager no later than 15 days prior to the intended leave date. Any such request shall not be refused, unless the refusal accords with a scheme for the taking of annual leave agreed in accordance with § 79(8). Annual leave may not be taken more than 3 times in any one year. Annual leave entitlements not taken in a year may be added to the leave accrued in the succeeding year. However, no more than 30 days' annual leave may be carried forward to a succeeding year.	No limitations on the performance of overtime work identified.

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インドネシア	A worker required to perform overtime hours is entitled to be paid at the rate of 1.5 times the worker's normal hourly wage for the first overtime hour and at double time rates for the following overtime hours. The worker is also to be provided with meals and drinks of at least 1400 calories, if the overtime work is executed for 3 hours or more. Meals and drinks cannot be replaced by money.	The application of the ruling concerning annual rest periods shall be determined and specified in a work agreement, the enterprise' rules and regulations or a collective work agreement.	Entrepreneurs that require workers to work beyond the weekly or daily hours limit must ensure that the workers perform overtime for no longer than 3 hours per day and 14 hours per week, not including overtime worked on a weekly rest day or official holiday.
日本	Compensation rates payable for working overtime shall be set by cabinet order within the range of 25-50% over the normal wage per working hour or day. Where overtime is performed between 10pm and 5am, the employer shall pay premium wages for that work at a rate no lower than 50% over the normal wage per working hour.	The employer shall grant paid leave during the period requested by the worker, unless: (a) this would interfere with the normal operation of the enterprise (in which case, the employer may grant the leave during another period); or (b) a written agreement has been entered into by the employer and a union or other representative of a majority of workers, which stipulates the period in which annual leave shall be granted. Annual leave may be taken either in a consecutive period or divided periods of time.	Generally, any limits on overtime work shall be set by the written agreement which provides for overtime to be worked. The only statutorily-set limits on overtime apply to below-ground laborers and other workers performing particularly harmful to health. These workers cannot be required by a written agreement to work more than 2 hours of overtime per day. No limits are imposed on overtime performed due to an extraordinary need.
韓国	An employer shall additionally pay 50% or more of the ordinary wages for extended work.	An employer shall grant paid leave upon request of a worker. However, the leave period concerned may be changed, in case granting the leave as requested by the worker might cause a serious impediment to the operation of the business. Annual leave entitlements must be taken within one year. In the event that a worker does not take his or her leave entitlements within this period, the leave shall be forfeited unless the worker concerned has been prevented from using the leave due to any cause attributable to the employer. Three months prior to the date on which a worker would otherwise forfeit leave entitlements due to non-use, the employer is to write to the worker urging him or her to decide when they will use their leave. In the event the worker does not decide, the employer will decide the worker's leave period and notify the worker of the same no later than 2 months before unused leave would otherwise be forfeited. An employer may have workers take paid leave on a particular working day in lieu of the annual paid leave, if the employer and the workers' representative agree in writing.	A worker's normal working hours (whether standard or flexible) may only be extended by up to 12 hours per week.
マレーシア	Any work carried out in excess of the normal hours of work shall be paid at a rate of not less than 1.5 times the employee's hourly rate of pay irrespective of the basis on which the employee's rate of pay is fixed.	The employer and worker may agree in writing to not take the annual leave, all or parts of it, and receive pay in lieu of leave. Workers absenting themselves from work without the permission of the employer and without a reasonable excuse for more than 10 per cent of the working days during the 12 months of continuous service in respect of which the entitlement to leave accrues are not entitled to paid annual leave.	Overtime is to be limited to 64 hours per month. An employee must not be required to work more than 12 hours in any one day, including overtime, except in certain circumstances.
ニュージーランド	No statutory requirements with respect to compensation of overtime identified.	Annual leave is to be taken at a time agreed between the employer and the employee. In reaching such agreement, an employer : (a) must allow an employee to take annual leave within 12 months from the date on which the leave entitlement arose; (b) must allow an employee to take at least 2 weeks of his or her annual holidays entitlement in a continuous period; (c) must not unreasonably withhold consent to an employee's request to take annual leave; and (d) may allow the employee to take an agreed portion of the employee's annual leave entitlement in advance. An employer may only require an employee to take annual leave if: (a) the employer and employee are unable to reach agreement as to when the employee will take his or her annual holidays; or (b) the employee has annual leave entitlements at the commencement of a closedown period (as defined). In either case, the employer must give the employee at least 14 days' notice of the requirement to take annual leave.	No statutory limits on overtime identified.
フィリピン	Employees who are required to work overtime (i.e. more than 8 hours) on a regular working day must be paid a penalty rate of at least 25% above the employee's regular wage. Employees who are required to work overtime (i.e. more than 8 hours) on a holiday or rest day must be paid a penalty rate of at least 30% above the rate payable for the first 8 hours on the holiday or rest day.		No statutory limit on overtime identified.

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タイ	Overtime rates for overtime worked on a normal working day shall be no less than 1.5 times the hourly basic pay earned in normal working hours, or no less than 1.5 times the rate for each unit of output on a normal working day. Overtime rates for overtime worked on a holiday shall be no less than 3 times the hourly basic pay rate earned an hour on a normal working day, or no less than 3 times the rate for each unit of output on a normal working day.	The annual leave days shall be fixed in advance by the employer or set out in an agreement made between the employer and the employee. An employer and employee may agree in advance that the annual vacation be cumulative and postponed and taken together with that of the following year.	Overtime and holiday working time shall not exceed 36 hours per week in aggregate. Further, an employer is prohibited from requiring an employee to work overtime where the work may be harmful to the health or safety of the employee (as prescribed in Ministerial Regulations).
トルコ	The wage to be paid for every hour of overtime shall be 150% of the normal hourly wage. The wage to be paid for every extra hour worked shall be 125% of the normal hourly wage.	The leave must be granted without interruption. However, leave periods may be divided, by mutual consent, into three parts at most, provided that one of the parts is not less than 10 days.	The total amount of overtime worked shall not exceed 270 in one year. This time limit relates to the workers in person rather than the workplace or the types of work carried out. In the calculation of the hours worked as overtime or extra hours, periods of less than half an hour shall count as half an hour, and periods of over half an hour shall count as one hour.
ベトナム	Overtime is to be paid at the following rates of pay: (1) on a normal working day - 150% increase; (2) on a weekly rest day - 200%; (3) on a public holiday or annual leave day - 300%.	An employer shall have the right to determine a timetable for the annual leave of employees, subject to consultation with the executive committee of the trade union of an enterprise and provided that everyone in the enterprise is notified in advance. An employee may reach an agreement with the employer on taking annual leave in instalments. Persons who work in distant and remote regions may, if they so request, combine two annual leaves together. Where three annual leaves are desired to be taken at one time, the approval of the employer must be obtained.	The overtime must not exceed 50% of the working hours provided for each type of work in each day. In cases where the working time is prescribed on the basis of working weeks, the total regular working time and overtime must not exceed 12 hours a day. The total overtime must not exceed 200 hours a year, except in prescribed circumstances.

- ※1 ILOホームページ「TRAVAIL legal databases」により該当部分を抽出
 ※2 OECD+BRICS+東南アジア諸国から規制改革推進室が選定した国のデータ
 ※3 ドイツの年休時季指定等に関する原文は該当条文をWEBサービスにより機械英訳

割増賃金率・年次有給休暇時季指定権等の状況

規制改革推進室作成

国名	割増賃金率	年休時季指定等	時間外労働を含む上限規制(数を明示)の有無
オーストリア	50%以上	労使合意が必要	○
ベルギー	時間外50%以上 週末75%以上 休日100%以上	資料上不明	○
チェコ	25%以上	労働組合との合意により使用者が決定	○
デンマーク	定めなし	労働者に相談の上使用者が決定	○
エストニア	合意がある場合は50%以上	使用者が労働者の要望を考慮しつつ決定(使用者は休暇カレンダーを作成し、第1四半期に労働者に伝える。労働者が休暇カレンダー記載の休暇以外の休暇を取得する場合には14日前に使用者に告知)	○
フィンランド	1日2時間まで50%以上 それを超えると100%以上	労使合意によるが、合意がない場合は使用者が決定	○
フランス	集团的又は企業内の合意により10%以上 合意がない場合最初の8時間は25%以上、それを超えると50%以上	集团的合意により決定	○
ドイツ	関連規定特定されず	労働者の希望の考慮。ただし、緊急の経営上の必要性や社会的観点から優先されるべき他の労働者の休暇希望の場合を除く	○
ギリシャ	週41時間以上45時間まで(週5日制。週6日制は41時間以上48時間まで。) 25%以上 45時間以上(同48時間以上)年間120時間まで50%以上 それ以上75%以上	資料上不明	○
ハンガリー	時間外50%以上 平日以外100%以上	労働者の希望を考慮しつつ使用者が決定(20日のうち7日については労働者が決定)(いずれも15日前に相手方に告知)	○
アイスランド	1時間当たり1か月賃金の1.0385%以上	労働者に相談の上使用者が決定	○
アイルランド	定めなし(集团的合意によると思われる)	労働者又は組合に相談の上使用者が決定	○
イタリア	10%以上	業務の必要性及び労働者の利益を考慮しつつ、使用者が決定	○
ルクセンブルク	賃金による場合は40%以上	労働者の希望によるが、使用者が反対できる(ただし、使用者が個々の休暇日を強要したり、休暇の取得を強要することはできない。)	○
オランダ	定めなし	書面による合意、集团的合意等で定められていない場合は、労働者に相談の上使用者が決定	○
ノルウェー	40%以上	使用者は休暇日の設定、休暇リストの作成について個々の労働者又は労働者代表と話し合わなければならない	○
ポルトガル	代償休日の定めのみ	使用者と労働者が休暇の時季について合意することができる(中小企業は労働者の希望による)	○
ロシア	50%以上(2時間以上は100%)	労働者に対し2週間前に休暇の通知を行う必要	○
スロバキア	25%以上	労働者代表と事前に合意した休暇のタイムテーブルに従い、労働者と交渉の上使用者が決定	○

国名	割増賃金率	年休時季指定等	時間外労働を含む上限規制(数を明示)の有無
スペイン	集团的合意又は個々の契約で所定内賃金以上又は代償休日を与えることを定める。合意がないときは代償休日を与えられる	年次休暇の計画に係る集团的合意に従い、使用者と労働者の合意により決定	○
スウェーデン	集团的合意により定められる	少なくとも4週間の休暇が原則6月から8月までの間に設定される(注:指定権の所在は不明。)それ以外の休暇について、合意に達しない場合は使用者が決定(2か月前)	○
スイス	25%以上	資料上不明	○
イギリス	関連規定特定されず	使用者が課した要件に従い、労働者が使用者に告知することにより取得	○
ブラジル	50%以上	資料上不明	○
カナダ	50%以上(ブリティッシュコロンビア州では1日12時間を超える場合は100%)	労使合意によるが、合意がない場合は使用者が決定(2週間前)	○
チリ	50%以上	使用者は、事業活動を一時的に停止するために、事業場又は法人の全部又は一部の労働者に同時に年休を付与することができる	○
メキシコ	100%以上 週9時間を超えると200%以上	使用者が年次計画を策定	○
アメリカ合衆国	50%以上	関連規定特定されず	×
オーストラリア	「モダンアワード」(産業や職種ごとに設定)によることとされている	労使合意による。ただし、使用者は正当な理由なく労働者の希望を拒否できない	×
中国	50%以上	労働者の希望に基づき、使用者が決定	○
インド	100%以上	使用者、works committee及びChief Inspectorの合意により、休暇の取得方法を決定することができる。労働者が書面で休暇取得を要求した場合は、原則として拒否できない	×
インドネシア	50%以上(1時間以上は100%。3時間以上の場合は飲食の提供義務あり)	集团的合意、労使合意、企業規則により定められる。	○
日本	25%以上(午後10時から午前5時は50%以上)	労働者の希望によるが、使用者が変更可能	×(大臣告示による基準あり)
韓国	50%以上	労働者の希望により使用者が年休を付与するが、業務に支障がある場合等は使用者が時季を変更できる。	○
マレーシア	50%以上	資料上不明	○
ニュージーランド	関連規定特定されず	労使合意によるが、合意がない場合等には使用者が決定(2週間前)	×
フィリピン	25%以上 休日30%以上	資料上不明	×
タイ	50%以上 休日200%以上	使用者が決定又は使用者と労働者の合意により決定	○
トルコ	50%以上	資料上不明	○
ベトナム	150%以上 休日200%以上、公休日・年次休暇300%以上	労働組合に相談し、全労働者に告知することにより、使用者が決定	○

※1 規制改革推進室が原文から概要を要約したもの

※2 原文の注釈

- 1 ILOホームページ「TRAVAIL legal databases」により該当部分を抽出
- 2 OECD+BRICS+東南アジア諸国から規制改革推進室が選定した国のデータ
- 3 ドイツの年休時季指定等に関する原文は該当条文をWEBサービスにより機械英訳