Employee Guide to Unclaimed Holiday Allowance

**Who do I contact about unclaimed holiday allowance?**

Unclaimed holiday allowance is money that has not been paid to you in the current holiday period.

If your question is about unclaimed holiday allowance, and you are not covered by any other holiday fund, you should contact Arbejdsmarkedets Feriefond. Read this guide and see the contact details below.

If your question is about current holiday allowance, please contact FerieKonto or visit Borger.dk. Please see contact details below.

**What holiday fund am I covered by?**

If you are employed in an area that is covered by a collective agreement, you may be covered by a different holiday fund to Arbejdsmarkedets Feriefond.

Denmark has approx. 140 holiday funds. If in doubt, consult your collective agreement or ask your employer.

**What rules apply to unclaimed holiday allowance?**

If your holiday allowance was accrued from 1 January to 31 December 2018 or earlier, the Danish Holiday Act applicable at the time applies.

You will find it [here](https://www.retsinformation.dk/eli/lta/2015/1177).

If your holiday allowance was accrued in the period from 1 January 2019 to 31 August 2019 or later, the current Danish Holiday Act applies.

You will find it [here](https://www.retsinformation.dk/eli/lta/2021/230).

**Where is the unclaimed holiday allowance?**

**2018:** Holiday allowance accrued in 2018 was to be taken/payable in the period 1 May 2019 to 30 April 2020.

After this, the holiday allowance becomes unclaimed holiday allowance and is assigned to Arbejdsmarkedets Feriefond or another holiday fund.

**2019:** Holiday allowance accrued in the period 1 January 2019 to 31 August 2019 could be taken/was payable from 1 May 2020 up to and including 31 August 2020.

This holiday period is also called ‘the transition period’ as we will now be transitioning to ‘concurrent holiday’. If you did not take your holiday during this period, it was automatically carried forward to the next holiday period when you would have to take it before newly accrued holiday.

**2020/2021:** Holiday allowance accrued in the period 1 September 2020 to 31 August 2021 could be taken/was payable from 1 September 2020 up to and including 31 December 2021.

Every year in the period 1-15 November, employers report any unclaimed holiday allowance to Arbejdsmarkedets Feriefond. You will therefore be able to contact Arbejdsmarkedets Feriefond about whether your employer has reported unclaimed holiday allowance for you from 15 November after the end of the holiday period.

**Under what circumstances can I have my old holiday allowance paid to me?**

Although unclaimed holiday allowance has been transferred to Arbejdsmarkedets Feriefond or another holiday fund, you are eligible for payment of the holiday allowance if you

1. have taken your holiday and
2. were entitled to holiday allowance during your holiday and it has not been paid to you and
3. have not received other benefits or performed paid work during your holiday or received unemployment benefit
4. document this with payslips, payment specifications from your unemployment fund or municipality.
5. have been prevented from taking holiday – please see the section on being prevented from taking holiday.
6. apply in time before your entitlement to holiday allowance lapses – please see the section on time limitation.

**How do I apply to have my old holiday allowance paid out?**

If your unclaimed holiday allowance has been paid to Arbejdsmarkedets Feriefond, you can apply to have it paid out.

You must complete an application form in order to have your old holiday allowance paid to you. You will find it [here](https://aff.dk/loenmodtagere/ansoegningsskema-application-antragsformular/)

If you need help completing your application form correctly, please call Arbejdsmarkedets Feriefond for advice. We are here to help. Please see office hours below.

**Where do I send the application form?**

You should submit your application form to Arbejdsmarkedets Feriefond by Digital Post.

What to do:

1. Download the application form.
2. Read the application form carefully and make sure you complete it correctly.
3. Save the application form on your computer. If you do not have a computer, you can borrow one at the library.
4. Visit your Digital Post or mit.dk.
5. Search for ‘Arbejdsmarkedets Feriefond’.
6. Send message as employee
7. Attach your application form and documentation.

You must also submit documentation that you have taken your holiday.
The documentation must be from:

* Your employer at the time of your holiday
* Your unemployment fund if you have been in receipt of benefits from the fund
* Military service unit if you have taken holiday during your military service
* In all other cases, the social services department in your municipality

If you need help submitting your application form by Digital Post, please call Arbejdsmarkedets Feriefond for advice. We are here to help. Please see office hours below.

You are able to submit your application form using ‘Contact’ on the Arbejdsmarkedets Feriefond website at [www.aff.dk](https://aff.dk/)only if you do not have MitID.

**When will I get a response?**

As a rule, Arbejdsmarkedets Feriefond processes your application within 12 weeks.

The processing time of 12 weeks assumes that you have completed your application form correctly and that you have submitted the correct documentation. You should therefore read the instructions carefully before submitting your application to Arbejdsmarkedets Feriefond.

**When will the money be paid out?**

If you are eligible for the unclaimed holiday allowance, Arbejdsmarkedets Feriefond will pay the money into your NemKonto.

Only if you do not have a NemKonto will Arbejdsmarkedets Feriefond pay the money into your account by other means.

**Do I have to pay tax on my holiday allowance?**

Arbejdsmarkedets Feriefond pays the amount your employer has paid in for the number of holidays to which you are entitled. Arbejdsmarkedets Feriefond does not report to SKAT. You are responsible for ensuring that tax has been paid on your holiday allowance which forms part of your salary.

**When do claims for unclaimed holiday allowance lapse?**

If you meet the conditions for payment (please see the section on conditions for payment), you have the right to be paid holiday allowance until the claim period expires. The following rules apply to time limitation:

**Holiday allowance accrued in 2018:**

If your employer or FerieKonto has paid your unclaimed holiday allowance, paid holiday or holiday supplement for holiday to Arbejdsmarkedets Feriefond or another holiday fund, **your claim will lapse** after three years, on 30 April 2023, unless you have contacted Arbejdsmarkedets Feriefond or another holiday fund about your claim before this date.

**Legal framework:**Consolidated Act no. 1177 of 9 October 2015

*Section 35. If holiday allowance, salary during holiday or holiday supplement has been paid into either Arbejdsmarkedets Feriefond or a private holiday fund, cf. Section 36, sub-section 2, and the holiday has been taken during the holiday year, the claim for holiday allowance, salary during holiday or holiday supplement lapses if the employee does not within three years of the end of the holiday period contact the holiday fund. If the employee has not taken the holiday, the employee must contact the director of the Danish National Labour Market Authority within three years of the end of the holiday year.*

**Holiday allowance accrued from 1 January 2019 and later:**

If your employer or FerieKonto has paid in your unclaimed holiday allowance, paid holiday or holiday supplement for holiday to Arbejdsmarkedets Feriefond or another holiday fund for holiday accrued from 1 January 2019, your claim will **lapse** if you have not within five years of the expiry of the holiday period contacted the fund.

If you are entitled to unclaimed holiday allowance that you have accrued from 1 January 2019 to 31 August 2019, your claim expires on 31 December 2026, unless you have contacted Arbejdsmarkedets Feriefond or another holiday fund before this date as the holiday allowance has been carried forward to the next holiday period.

If you are entitled to unclaimed holiday allowance that you have accrued from 1 September 2020 to 31 August 2021, your claim will lapse on 31 December 2026, unless you have contacted Arbejdsmarkedets Feriefond or another holiday fund before this date.

Your request to Arbejdsmarkedets Feriefond must be submitted using Digital Post.

It is therefore not enough to call Arbejdsmarkedets Feriefond. This is because Arbejdsmarkedets Feriefond is not allowed to receive your personal data or inform you of any holiday allowance that has been deposited by telephone. This is because Arbejdsmarkedets Feriefond cannot know with certainty that you are who you say you are if you call.

If you need help contacting Arbejdsmarkedets Feriefond by Digital Post, please call us. We are here to help. Please see office hours below.

You are able to use ‘Contact’ on the Arbejdsmarkedets Feriefond website at [www.aff.dk](https://www.aff.dk/)only if you do not have MitID.

**Legal framework:**Consolidated Act no. 230 of 12 February 2021

*Section 30. If holiday allowance, salary during holiday or holiday supplement pursuant to Section 34 has been paid into either Arbejdsmarkedets Feriefond or a private holiday fund, and the holiday has been taken or can be paid, the claim for holiday allowance, salary during holiday or holiday supplement expires if the employee does not within five years of the end of the holiday period contact the holiday fund.*

*Sub-section 2. If holiday allowance, salary during holiday or holiday supplement is not paid into Arbejdsmarkedets Feriefond or a private holiday fund, the claim for holiday allowance, salary during holiday or holiday supplement expires if the employee does not within five years of the end of the holiday period seek to have the claim implemented through legal proceedings, labour law process, police report or filing of bankruptcy petition. If the claim is not upheld, the claim must be sought to be implemented by one of the procedures specified in the first point, without undue delay.*

**What if I have been prevented from taking my holiday?**

If you were unable, for particular reasons, to take your holiday during the holiday period, you were prevented from taking your holiday.

If you are prevented from taking your holiday until the end of the period on 31 December, you can have the holiday that you cannot take carried forward to the next holiday period. You are able to carry forward a maximum of four weeks’ holiday. You must enter into a written agreement with your employer no later than 31 December during the holiday period.

**You may be prevented from taking your holiday for the following reasons:**

* Own illness
* Maternity/paternity or adoption leave
* Compulsory admission to hospital
* Working abroad where you are not covered by the Danish Holiday Act
* Transfer to self-employment
* Homemaker who is not in receipt of social security, unemployment benefit etc.
* Election for mayor, appointed minister or similar position of trust
* Prison
* Legally notified and terminated conflicts
* Service in the Danish Armed Forces on conditions similar to military service
* Posting with the Danish Armed Forces or government rescue services to participate in conflict prevention, peacekeeping, peacemaking or humanitarian tasks
* Lack of money due to
* a dispute with your employer related to your claim for holiday allowance
* Leave or awarded lost earnings, salary or remuneration for a shorter time-limited period to care for sick or dying relatives.
* Service within the Danish Ministry of Defence or the police as a result of war, disaster or other extraordinary circumstances.
* Required work for the sake of public safety and health within the regional and municipal healthcare system, in home care and in nursing homes under extraordinary circumstances, when a disease is categorised as socially critical pursuant to Section 2, subsection 6 of the Danish Epidemics Act.

Please note that heavy work pressure does not count as reason for not taking your holiday.

Please see borger.dk: <https://www.borger.dk/arbejde-dagpenge-ferie/Oversigt-ferie/forhindret-i-at-holde-ferie>

**I have been prevented from taking my holiday.**

If you have been prevented from taking your holiday due to illness, maternity/paternity leave or for any other of the above reasons, you must contact Arbejdsmarkedets Feriefond and submit the following:

* Information about how and when you have been unable to take your holiday
* Documentation for the reasons you were prevented from taking your holiday, e.g.:
* Payment specifications from the municipality for maternity/paternity leave.
* Payment specifications from the sickness benefit system for illness.
* Confirmation from caseworker for a vocational rehabilitation programme.
* Confirmation from employer relating to maternity/paternity leave, sickness, leave etc.
* Other documentation depending on why you were prevented from taking your holiday.

**I have retired/left the Danish labour market:**

If you have retired or have left the Danish labour market, you must apply to have your holiday allowance paid no later than six months after your retirement date.

Find out more at Borger.dk: <https://www.borger.dk/arbejde-dagpenge-ferie/Oversigt-ferie/arbejdsophoer-og-ferie>

**My employer has gone bankrupt.**

If your employer has gone bankrupt and you have been paid compensation by Lønmodtagernes Garantifond (LG), you must also submit the decision by LG when you apply for payment of unclaimed holiday allowance.

**I have become *self-employed*, but have accrued holiday allowance with *a previous employer*.**

When applying for payment of your holiday allowance, you must, if you are self-employed, but have previously accrued holiday allowance with a previous employer:

* Submit a completed application
* and print-out from Virk.dk to show that you are self-employed
* detailed tax information
* and a declaration from your accountant that you have taken holiday on the stated dates.

**Private holiday fund**

Please see your collective agreement or contact your employer.

**Civil servant**

After 1 September 2022, civil servants are covered by the Danish Holiday Act.

Please see circular on agreed holiday: <https://www.retsinformation.dk/eli/retsinfo/2019/10180>

**Contact details**

Arbejdsmarkedets Feriefond:

Office hours: Monday, Wednesday and Friday 9-11.30 am on 33 48 70 00.

Write to us: By Digital Post. Only if you do not have MitID, use ‘Contact’ on [www.aff.dk](https://www.aff.dk/).

Or by post to:

Arbejdsmarkedets Feriefond

Otto Mønsteds Gade 5

1571 Copenhagen V

Find out more on our website. The application form can also be found at [www.aff.dk](https://www.aff.dk/).

Find out more about how Arbejdsmarkedets Feriefond processes your personal data [here.](https://aff.dk/om-fonden/persondatabeskyttelse/)

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Arbejdsmarkedets Feriefond
Otto Mønsteds Gade 5 – 1571 Copenhagen V – Telephone 3348 7000 – E-mail: Click ‘Contact’.
Office hours: Monday, Wednesday and Friday 9-11.30 am.