

Coronavirus Employment Law



Staff working from home

The government has advised that 'where they possibly can' all employees should be working from home to prevent the spread of the virus.



- ✓ Ensuring employees have the ability to work from home efficiently.
- ✓ Understanding employee concerns and being more flexible with working arrangements, especially for those with dependants who may need caring for.
- ✓ Reassuring staff whose role involves being in the workplace that you are doing all you can to ensure their safety.

- ✗ Forcing employees to come to work against current advice issued by the government and health authorities.
- ✗ Treating staff differently or applying policies to high risk individuals only, which may be deemed as discriminatory.
- ✗ Excluding staff from communications, and failing to communicate the ongoing business plan to all.

If you need legal advice, get in touch with our experienced team.

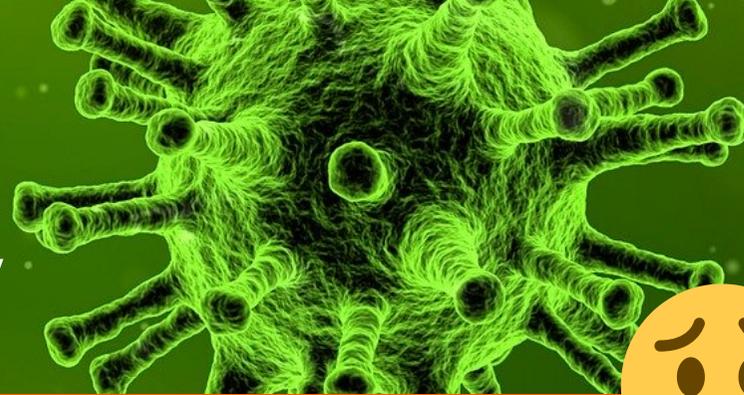


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Sending staff home

The government has not advised that businesses' should close down, but if staff show symptoms, no matter how mild, they should stay home and self-isolate.

- ✓ Developing a plan of action if an employee becomes unwell at work. Have an isolation room available and ready.
- ✓ Identifying employees who are at high risk, and supporting them by suggesting alternative ways of working where possible.
- ✓ Following health authority advice on sending staff home to self-isolate.
- ✗ Not following expert advice on the necessary provision for staff well-being.
- ✗ Being forceful in making staff self isolate if they have developed symptoms linked to Covid-19, particularly if this means they have no ability to continue working.
- ✗ Failing to ensure all staff are kept informed about the ongoing plans and measures for the business.

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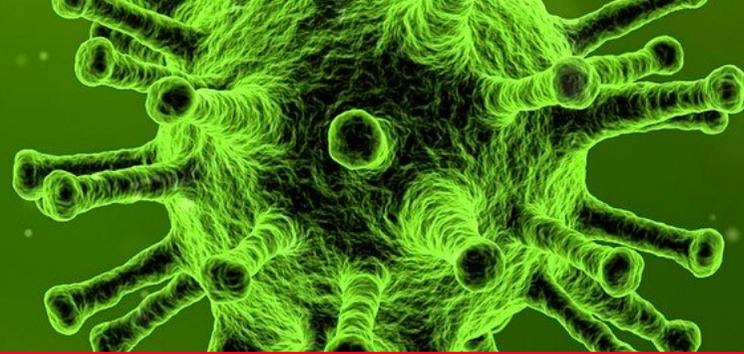


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Laying off staff or reducing working hours

Lay-off of staff means that staff will not be provided with work, and will be entitled to limited pay. Short term working is providing staff with fewer hours and reduced pay.

- ✓ Discussing the situation with each individual, being very clear about the process involved.
- ✓ Communicating efficiently about the situation with all employees, assuring it will not be a permanent fixture.
- ✓ Settling overdue invoices, increasing business cash flow before contemplating staff reductions. Our commercial recoveries team can help.

- ✗ Enforcing with no contractual clause permitting you to do so. This could lead to claims of unfair dismissal and unlawful deduction in wages.
- ✗ Enforcing this process for those who have a dependent or fall in a vulnerable category, inviting discrimination claims
- ✗ Not identifying duration of temporary measures and allowing lay-off period to continue for a long time.

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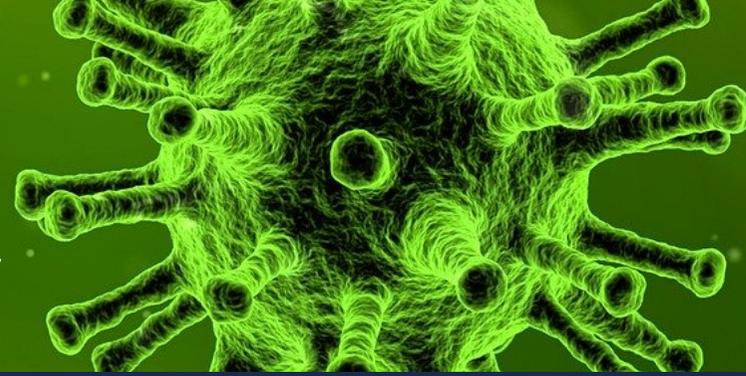


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Redundancy

Redundancies may be necessary where a business has a reduced need for employees in a particular role or where the requirement for these roles have diminished entirely.

- ✓ Formally consulting with affected staff in line with current employment legislation where their role is placed at risk.
- ✓ Settling overdue invoices to increase business cash flow before contemplating staff reductions. Our commercial recoveries team can help.
- ✓ Taking legal advice before considering redundancies and considering all alternatives beforehand.
- ✗ Considering redundancy as the first option, without exploring alternatives to avoid workplace redundancies.
- ✗ Adopting an unfair or unreasonable process when making staff redundant - employment laws and best HR practices should be followed.
- ✗ Treating staff differently due to their status as a vulnerable individual for the purposes of Covid-19 or otherwise.

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