

PM EMPLOYMENT GUIDANCE DURING THE COVID-19 OUTBREAK

WE WANTED TO PROVIDE YOU WITH SOME CLARIFICATION OF WHAT THE GUIDANCE IS AROUND WORK AND THE IMPACT OF CORONAVIRUS TO OUR LIVES AS EMPLOYEES.

I'm still working

For those of you who are still able to work, whether this is in a workplace or flexibly from home, you will continue to be paid as normal. If your employer temporarily closes you still have to be paid. Normally this is referred to as a "lay off" situation. With coronavirus, the government has agreed if you are still employed but do not currently have work, you will still get your pay. The idea is to prevent mass unemployment.

Your employer will be able to access grants, by the end of April 2020 from the UK's tax authority to allow them to keep paying you. The government says 80% of gross pay in the private sector, up to £2,500 a month, for those not working and who would otherwise have been "laid off", will be covered by these grants from HM Revenue and Customs (HMRC). These will be backdated to March 2020 and the scheme will last three months at least.

It is up to your employer as to whether they make up the difference to 100% or not.

I am already off sick and it has nothing to do with coronavirus

Your normal sick pay rules as per your employment contract will continue. This means you will be on sick pay or if your contract allows sick pay plus an enhancement called company sick pay which normally brings your pay up to your normal earnings level for a defined period of time. Your absence management and sick pay policy should explain what these arrangements are.

If through your normal policy, you have already exhausted your company sick pay you will be paid Statutory Sick Pay. This is currently £94.25 for 28 weeks and will increase to £95.85 in April 2020.

Will I get paid if I need to look after my children or dependant?

When your children's school is closed, your employer should have policies in place to deal with dependency leave to allow you to plan for childcare. Employees are entitled to time off work to help someone who depends on them (a 'dependant') in an unexpected event or emergency. This would apply to situations related to coronavirus (COVID-19). For example:

- if you have children you need to look after or arrange childcare for because their school has closed
- to help their child or another dependant if they're sick, or need to go into isolation or hospital

This is normally 1-3 days with or without pay depending on the generosity of your employer, your employer is not forced to pay you unless your contract requires it.

In the instance of coronavirus, many employers are allowing parents to work flexibly, to try to manage both work and childcare. Key workers, who have been defined by the government, can still send children to school or nursery.

An individual may usually leave a child with their grandparents while they're out of school, but not want to do so now, as this might result in passing the virus on to their vulnerable family members. As such, you might need a longer-term solution like flexible working and some parents might be able to work from home and be willing to do so. Another solution is for you to take up to 18 weeks of unpaid parental leave. This will obviously be a less popular solution, so try and negotiate favourable terms with your employer.

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Will I get paid if I have to self-isolate?

You may do through sick pay which varies from company to company. Many employees will have contracts that allow them their normal pay while they are unable to work because they are sick.

Even where people do not get their fully paid sick leave, or if they work in jobs where they do not have contractual sick leave, there are minimum payments they can rely on, known as Statutory Sick Pay.

Those who follow advice to stay at home will be eligible for Statutory Sick Pay (SSP) from the first day of their absence from work. Your employer should use their discretion concerning the need for medical evidence for certification for employees who are unwell. This will allow GPs to focus on their patients. Those who follow advice to stay at home and who cannot work as a result will be eligible for Statutory Sick Pay (SSP), even if they are not themselves sick. Your employer should use their discretion and respect the medical need to self-isolate in making decisions about sick pay.

Employees and workers must receive any Statutory Sick Pay (SSP) due to them if they need to self-isolate because:

- they have coronavirus
- they have coronavirus symptoms, for example a high temperature or new continuous cough
- someone in their household has coronavirus symptoms
- they've been told to self-isolate by a doctor or NHS 111
- if someone has symptoms and lives alone, they must self-isolate for 7 days
- if someone lives in a household and is the first to have symptoms, they must self-isolate for 7 days
- everyone else in their household must self-isolate for 14 days
- if anyone else in the household starts displaying symptoms, the person with the new symptoms must self-isolate for 7 days. This is regardless of where they are in the 14-day isolation period.

Employees can 'self-certify' for the first 7 days off work. This means following their workplace process but not having to get a note from a doctor or NHS 111. Those self-isolating due to coronavirus for more than 7 days can get an online self-isolation note from <https://111.nhs.uk/isolation-note/>

Employees who are in self-isolation need to follow their workplace's usual sickness reporting process.

What happens if my sick pay runs out?

Even if sick pay runs out, there's still an employment contract between the employer and the employee. You should keep:

- reporting your sickness to the employer
- following the employer's rules for sickness

The employer should:

- keep in touch with you whilst you are off
- be clear about sick pay entitlement and when it's due to run out

If sickness is affecting your ability to do your job, your employer might decide to review the situation.

This can help the employer plan:

- how to cover the work while you are off
- any support or adjustments that might help you return to work
- your return, once you are well enough
- what happens to the job if you are not able to return for the foreseeable future?

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IMPORTANT LINKS YOU MAY FIND HELPFUL

UK Government

Coronavirus support from the UK government
<https://www.gov.uk/coronavirus-extremely-vulnerable>

The UK government advice on staying at home and away from others
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874714/Full_guidance_on_staying_at_home_and_away_from_others.pdf

Link to benefits by the UK government
<https://www.gov.uk/browse/benefits>

Scottish Government

The Scottish government advice on staying at home and away from others
<https://www.gov.scot/news/people-advised-to-limit-social-contact/>

Link to benefits in Scotland
<https://www.mygov.scot/benefits/>

The Welsh Assembly

The Welsh Assembly advice on staying at home and away from others
<https://gov.wales/full-guidance-staying-home-and-away-others>

Link to benefits in Wales
<https://gov.wales/welfare-benefits>

The Northern Ireland Executive

The Northern Ireland Executive advice on staying at home and away from others
<https://www.nidirect.gov.uk/articles/coronavirus-covid-19-overview-and-advice>

Link to benefits in Northern Ireland
<https://www.nidirect.gov.uk/information-and-services/benefits-and-money>



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