

Coronavirus and employment matters

We have received a few enquiries over the past few days in regards to employment matters which we thought may be useful to share with everyone. We will keep adding additional information to our website also.

As always if you need us - please get in touch.

Cara Stobart, County Officer



Working at home

On 17 March, the National Joint Council for local governments services has issues [guidance for councils and council staff on working from home](#).

Payments for working at home

Employers can reimburse employees for reasonable additional costs they incur while working at home under homeworking arrangements. This will include the additional costs of heating, lighting and metered water. Any increased charges for Internet access, home contents insurance or business telephone calls can also be covered, but not a portion of existing bills where there is no increase.

An employee has no automatic right to any payment of expenses for working from home, unless agreed by the employer in writing.

Tax exempt payments

If an employer has chosen to pay a homeworking allowance, they can pay up to:

- £4 a week/£18 per month prior to 5 April 2020, or
- £6 a week/£27 per month from 6 April 2020

and treat these payments as exempt from tax, without further evidence, provided that:

- The employee needs to work from home
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- the amount paid is not more than their additional household expenses
- the amount paid is not more than the current weekly limit

Further guidance is available in this [bulletin](#). *This advice has been provided by the Parkinson Partnership.*

Statutory Sick Pay

The Statutory Sick Pay (General) (Coronavirus Amendment) Regulations 2020 were made on 12 March 2020 and came into force on 13 March. They amended the Statutory Sick Pay (General) Regulations 1982 and provide that statutory sick pay will be available to anyone isolating themselves from other people in such a manner as to prevent infection or contamination with coronavirus disease, in accordance with the guidance published by Public Health England, and by reason of that isolation is unable to work. The government has said that the Statutory Sick Pay will be payable from the first day (not, as previously from day four) and that employers with fewer than 250 employees will be able to reclaim the cost from the government up to a maximum of two weeks' Statutory Sick Pay.

Staffing

Staff who can do so should be encouraged to work from home and many employers are working through the implications of this. This may mean providing appropriate equipment, coming to an agreement with employees about increasing household costs and being clear about expectations about working hours. Where possible, home workers should have an assessment done of their domestic workplace.

Many employers are also considering what to do if not all staff can work from home. At the moment many employers are sending some employees home and asking the remainder to work from home. Where essential services need to be maintained, some employers are arranging staff in 'shifts' which have minimal contact with each other to reduce the risk of the virus spreading.

For those employers who find themselves overstaffed, there are a number of options to consider. These include:

1. Asking (or, if contracts allow, requiring) staff to take holiday now
 2. Checking contract terms to see if they allow you to:
 - Reduce employee hours by withdrawing discretionary overtime
 - Lay employees off for a short period (this means sending them home with only statutory guarantee pay); you would need a specific contractual right to do this
 - Reduce (or even completely withdraw) hours
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3. Asking for volunteers to either take unpaid leave (which may become more attractive if the schools close or for staff with vulnerable relatives as the virus spreads) or to reduce their hours.
4. Failing all else, redundancy.

This information is intended as broad-brush advice about options and you should always seek more detailed advice on specific situations. All our members can receive up to 30 mins free advice through Tozers LLP. Demand is likely to be high at the moment, so please email in the first instance. The email is councils@tozers.co.uk.
