

## Furlough, flexibility and the future

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As many employers are aware, the financial support available under the UK Government Coronavirus Job Retention Scheme (furlough) will be reduced over the coming months. With a number of employers now seeking to bring employees back from furlough, a summary of these changes are outlined below:

### 1 July 2020 Key changes and 'flexible furlough'

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To recap, employees can only be furloughed after 1 July 2020 if they:

- had already been furloughed for at least 3 consecutive weeks between 1 March 2020 -30 June 2020 and/or
- return from statutory parental leave after 10 July 2020.

From 1 July, the number of employees included in a single claim made under the scheme cannot exceed the highest number of employees included in any claim submitted prior to this date.

### 1 August 2020

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Employers cannot claim a grant in respect in respect of any employer's NIC or pension contributions.

### 1 September 2020

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The grant reduces to 70% of wages, subject to a monthly cap of £2,187.50.

### 1 October 2020

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The grant reduces to 60% of wages, subject to a monthly cap of £1,875.

*N.B. The employer MUST top up to 80% in each case.*

### What is the Government Job Retention Bonus and does my business qualify?

Employers will qualify for a £1,000 'bonus' in relation to each employee brought back from furlough, provided the employee:

- remains continuously employed from the end of Oct 2020 to the end of January 2021
- earns an average of £520 per month over this period as evidenced through HMRC Real Time Information (RTI) and
- is not serving notice to terminate which started before 1 February 2021.

Provided employers meet this eligibility criteria, the bonus will be paid in February 2021.

### Top tips on returning to the workplace

Current Northern Ireland Government guidance suggests that employees '*should continue to work from home if they can*'. That said, many employers in Northern Ireland are eagerly seeking to get employees back into the workplace as soon as possible. However with infection rates currently on the rise again in Northern Ireland and tightened restrictions being announced on 20 August 2020, how can this be done safely?

Outlined below are practical steps employers should take to seek to 'COVID-proof' the workplace as much as possible, in accordance with guidance published by the Department for the Economy, HSENI and the central UK Government.



You will find a full range of timely materials for businesses in our dedicated **COVID-19 HUB** on our website.

**01 RISK ASSESSMENT**

Every employer should carry out a COVID-19 risk assessment in accordance with the HSENI guidance and in consultation with employees (and trade unions). The results of this risk assessment should be shared with the workforce. Guidance suggests that employers should consider publishing the results of the risk assessment on their website (and this is expected for employers with over 50 workers). Additionally, employers should publish a notice in a prominent place in the workplace (and on their website) to confirm that a risk assessment has taken place with steps in place to mitigate transmission risk.

**02 SOCIAL DISTANCING**

Ensure employees can maintain the two meter social distancing measures where possible. This can be facilitated by spacing out work stations, implementing a one way system in the work space, ensuring only one person uses a lift at any one time (depending on size) etc. If employees cannot be 2 meters apart, employers should manage risk by providing appropriate PPE (for example plastic visors). Other measures include implementing back to back working or installing screens, partitions or barriers between staff.

Start, finish and break times should be staggered to ensure social distancing. Additionally, teams can be split to avoid cross contamination.

**03 CLEANING & HYGIENE PROCEDURES**

Staff should be encouraged to clear their workstation before leaving the workplace so that essential cleaning can take place and touch points (such as printers, kettles, shared tools etc.) should be cleaned between each user.

Employers must ensure that there are facilities for everyone to wash their hands with soap and warm water for at least 20 seconds and in the absence of handwashing facilities to use hand sanitizer (particularly at entrances, breakout rooms and canteens).

Employers should have a dedicated isolation room where any employee who develops, or has, symptoms of COVID-19 while attending work, can isolate immediately and such room should be cleaned thoroughly afterwards in accordance with public health advice.

**04 POLICIES & PROCEDURES**

Employers should update their policies and procedures to reflect the employer's COVID-19 risk assessment. This will include outlining the updated hygiene procedures, social distancing measures and business related travel arrangements (note this is a non-exhaustive list).

Employers should consider whether training is required for staff on or before their return to work and this is encouraged.

**05 BUSINESS TRAVEL**

Non-essential travel should be avoided. Where travel cannot be avoided employees should travel alone.

Where employees need to travel together, they should seek to do so with the same person to avoid potential transmission. Employees should seek to maintain social distancing when travelling and where this cannot be done, a face covering should be worn.

Employees should be encouraged to walk or cycle to work where possible. Where public transport is the only option employees should be encouraged to observe social distancing and wear a face covering.

In addition, individuals must comply with the COVID-19 requirements of each jurisdiction through which they travel or transition, in addition to those confirmed by the Northern Ireland legislature.

## 06 GENERAL MEETINGS

Meetings should be conducted virtually where possible. If this is not possible, each person attending the meeting should maintain social distancing and bring their own documents and materials.

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## 07 RECORDS

Employers can maintain records of staff and visitors on the premises for 21 days to assist with the NHS track and trace service provided this is done in compliance with the Data Protection Act 2018.

*N.B. Special consideration should be given to those employees who are classified as vulnerable or extremely vulnerable as it may not be safe enough for them to return to work yet.*

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Please do not hesitate to contact A&L Goodbody if you should wish to discuss any of the matters raised in this publication.

If there are any issues relating to the impact of COVID-19 which you would like to see dealt with in future editions, please do not hesitate to contact us.



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