RETURNING TO WORK DURING COVID-19 – NEXT STEPS

INTRODUCTION

On Sunday 10 May Prime Minister Boris Johnson addressed the nation and set out a ‘roadmap’ to lead the UK out of the lockdown over the coming weeks. Getting the economy back up and running again will be a slow and complex process which must be undertaken with the health and safety of the population at the forefront.

Following the Prime Minister’s address, and ahead of a sitting of Parliament today (11 May), the Government has published a lengthy guidance document ‘Our Plan to Rebuild the UK...’ which outlines the Government’s COVID-19 recovery strategy in more detail as it moves to the next phase of its response. It takes effect from Wednesday 13 May and sets out a ‘cautious’ roadmap in terms of modification of the existing lockdown measures with a focus on safety. The Government keep the guidance document under constant review as things develop.

The section headed ‘Work’ (page 25, pdf page 29) confirms what we had already learned from the Prime Minister’s earlier statement:

- That for the foreseeable future, workers should continue to work from home rather than their normal physical workplace, wherever possible.
- All workers who cannot work from home should travel to work if their workplace is open. Sectors of the economy that are allowed to be open should be open, for example this includes food production, construction, manufacturing, logistics, distribution and scientific research in laboratories.
- As soon as practicable, workplaces should follow the new “COVID-19 Secure” guidelines, which will be published this week (see below).
- It remains the case that anyone who has symptoms, however mild, or is in a household where someone has symptoms, should not leave their house to go to work. Those people should self-isolate, as should those in their household.

Government is understandably concerned about the potential of a second peak of infections, so the new ‘COVID-19 Secure’ guidelines, that will address the issue of ‘working safely’ across a range of seven different working environments, will be published this week (expected 13 May) to help businesses get their places of work up to a safe standard prior to re-opening. The guidelines are expected to require all employers to carry out coronavirus-specific risk assessments, a measure that is likely to be applied regardless of sector. A risk assessment will be an essential part of any plans to restart business, given the need for employers to identify and address the risks specific to their workplace and industry.

The Construction Leadership Council (CLC) will review, and modify, the existing Site Operating Procedures in light of the new ‘COVID-19 Secure’ guidelines.
CORONAVIRUS JOB RETENTION SCHEME – WHAT NEXT?

Aligned to the Government’s plans for modifying the lockdown, is the question of what happens next with Coronavirus Job Retention Scheme (CJRS), which has been extended to the end of June 2020. The Chancellor, Rishi Sunak, is expected to announce the scheme’s future later this week, as those employers contemplating large-scale redundancies would have to initiate the 45-day collective consultation period by then if dismissals are expected to take effect on 30 June.

The CJRS has been a central pillar of the Government’s economic response to the coronavirus health crisis with HMRC now paying up to 80% of the wages of 6.3million furloughed workers at a cost of £8billion, to date.

The Chancellor has provided reassurances to the general public that there will be no "cliff edge" at the end of the CJRS, with the Treasury understood to be examining several options for gradually tapering the Government’s offering from July 2020. Reportedly, options being considered include reducing the wage subsidy to 60% of salary and lowering the £2,500 cap on monthly payments.

A working sub-group convened by the Construction Leadership Council (CLC) considered how the industry can return their staff to work after a period of furlough in a way that does not lead to mass redundancies or the destruction of the industry’s skills base, and has made a number of recommendations to the Treasury summarised as follows:

- Implement a Work Support Scheme (WSS) from the end of June to replace the existing CJRS scheme, focused on providing wage support whilst the workload picks up during the second half of the year on a phased basis. This will allow employees to undertake training and some work for the employer.

- The WSS should support vulnerable groups – there is a recognition from employers that there is likely to need to be continued support for those employees in the extremely vulnerable category, including those shielding or with caring responsibilities. This should be considered in the design of any new scheme or with an extension of the furlough scheme specifically for them.

- Establish a Talent Retention Scheme within construction and across other engineering sectors in recognition that different parts of the sector will recover to full operations at different times. It is envisaged that such a scheme could safeguard the loss of talent from the sector through establishing a Talent Retention Scheme.

As the position outlined above continues to evolve BESA will, over the coming days/weeks, issue further support and guidance to help members transition their employees back to work, including guidance on alternatives to furlough/short time working/redundancy. Meanwhile, we have put together a template ‘return from furlough’ letter which can be downloaded from our website www.thebesa.com.

REMEMBER: We can be contacted at employment.affairs@thebesa.com or COVID-19@thebesa.com.