

11 Mar 2020

Coronavirus (COVID-19) advice for Irish employers

Understand how to support your business and workforce through a global health emergency

With presence of the Coronavirus (COVID-19) in Ireland, organisations need to quickly and adequately prepare for a range of eventualities. At this point the focus has to go on prevention and mitigation, and there is a lot that government, employers and the public can do to minimise risk.

The new coronavirus disease has been declared a global health emergency by the World Health Organization, though emphasising containment of COVID-19 is feasible and must remain the top priority for all countries. The risk of catching coronavirus in Ireland is still low. This may change. However, most people may continue to go to work, school and other public places, as usual.

This factsheet provides an overview of the current coronavirus situation. It explains what the virus is and gives advice on how employers should respond to the threat and support employees by being prepared, taking precautions, looking after employees' health and safety, pay arrangements, communications and developing flexible resourcing plans.

What is coronavirus?

Coronavirus is a family of viruses that cause illness ranging from the common cold to more severe diseases. It was first identified in Wuhan City, in Hubei province, China.

Common signs of infection include respiratory symptoms, fever, cough, shortness of breath and breathing difficulties. In more severe cases, infection can cause pneumonia, severe acute respiratory syndrome, kidney failure and death. Generally, more severe cases occur in people with weakened immune systems, older people, and those with long-term conditions like diabetes, cancer and chronic lung disease.

Core messages

Employee health, safety and well-being during a health emergency is paramount and employers need to be proactive to protect their people and minimise risk. Employers have a statutory and contractual duty to care for people's health and safety at work. We recommend that employers:

- Be informed: This is a fast-moving issue and you need to keep up to date with official guidance from Government and work with the HR team to understand how best to manage and protect the workforce.
- Be prepared: Carry out a risk assessment and have a plan and team in place to deal with the outbreak. Ensure everyone is taking all necessary precautions both now and if/when it escalates. Steps now mean providing hand sanitisers, encouraging employees to reduce personal contact, minimise touching and to wash hands regularly. Support remote working to reduce face to face contact as necessary.
- Ensure managers and staff are clear on sick leave and pay policies and know what needs to happen if someone has been exposed or falls ill. This includes self-isolation but also thinking more broadly – e.g. looking after children if their school is closed.
- Be flexible: This means changing plans, restricting travel, encouraging people to work remotely and helping people to do that. It could mean staggering when people are in the office, banning all non-essential travel, training people up to have transferable skills, etc
- Look at who has transferrable skills in your workforce and make sure they are ready to work across different roles in case the problem escalates and affects normal working patterns/ staff availability, etc.

All this should be implemented from a sense of care and compassion, with public health uppermost, and be delivered with a message of Keep calm and carry on.

Managing the ongoing threat of coronavirus

Should the virus continue to spread, it could pose a significant threat to some organisations. An organisation may also be affected if it employs people who have been exposed to the virus. If the virus becomes a pandemic it could lead to wider disruptions with suppliers and customers and to shortages of fuel and other basic commodities. There may also be disruptions to public transport.

Plan ahead

Follow Government and public health advice. Employers need to keep up to date with the situation as it develops and refer employees who are concerned about infection to official and expert medical sources such that of the [HSE](#).

Develop a contingency plan: Every organisation will need to assess its own level of exposure to business disruption caused by the virus. If it has a site, conducts business or has supply chains in an affected region, there could be a direct impact to the company's day-to-day operations. The plan will need to take account of current and potential impacts and manage the specific business risks associated with the disruption, including service delivery and workforce issues. Follow government advice in relation to any public events planned. Communicate the plan to key teams and individuals across the business.

Build a contingency team: Identify a person, or small group of people, that would take responsibility for operating the contingency plan should a pandemic occur and allocate clear responsibilities for its implementation. The Department of Business, Enterprise and Innovation provides a lot of links, suggests sample posters and has also published a [Business Continuity Planning checklist](#) of preparatory actions in responding to COVID-19.

If a pandemic does occur, those responsible for the contingency plan should meet regularly to review the preparations and ensure they are still fit for purpose. It's important to act early, even if planned contingencies are not then needed.

Advice for employees returning from travel or who many have been exposed

The HSE offers advice for those who have been in a place in the last 14 days where there is spread of coronavirus, including China, Hong Kong, Singapore, South Korea, Iran, Japan, and the regions in Italy of Lombardy, Veneto, Emilia-Romagna and Piedmont.

If an employee has been to one of these places, they need to follow HSE advice. If they are not feeling well, they must check if they have symptoms of coronavirus. These are fever (high temperature), cough or difficulty breathing. The [HSE](#) states:

*'If you do have symptoms of coronavirus, phone your GP or local emergency department (ED) without delay. **Do not go to your GP or ED. Phone them first. If you do not have a GP, phone 112 or 999.** Tell them about your symptoms. Give them the details about your situation. Avoid contact with other people by self-isolating. If you are feeling well, carry on with your normal routine.'*

Anyone who knows they have been in close contact with a confirmed case in the last 14 days and has symptoms (cough, shortness of breath, fever) should:

- isolate themselves from other people - this means going into a different, well-ventilated room, with a phone
- phone their GP, or emergency department - if this is not possible, phone 112 or 999

- in a medical emergency (if you have severe symptoms) phone 112 or 999

Close contact means either face-to-face contact, spending more than 15 minutes within 2 metres of an infected person, or living in the same house as an infected person.

Pay arrangements

We recognise that many employers will seek to support employees when they may need to be off work related to COVID-19. Should the spread of the virus continues, employers may face the following situations:

- If employees have been told by a medical professional to self-isolate: Such employees have no statutory right to sick pay if they are not actually sick. However, it's good practice for their employer to treat it as sick leave and follow their usual sick pay policy, or agree for the time to be taken as holiday. It could also be handled by asking people to work from home if possible.
- If an employer sends people home as a precaution, and employees are following the reasonable instruction of their employer, they should get their normal pay.
- If employees choose to self-isolate but have not specifically been advised to, and have no symptoms, and do not have their employer's agreement, they could take paid or unpaid leave, although this will depend on the precise circumstances. It may be grounds for following normal absence management processes.

Social welfare payments

The [Department of Employment Affairs and Social Protection](#) have confirmed the following three major changes in response to the Coronavirus:

- the current 6-day waiting period for [Illness Benefit](#) will not apply to anyone who has COVID-19 (Coronavirus) or is in medically-required self-isolation
- the personal rate of Illness Benefit will increase from €203 per week to €305 per week for a maximum of 2 weeks medically-required self-isolation or for the full duration of absence from work following a confirmed diagnosis of COVID-19 (Coronavirus)
- the normal social insurance requirements for [Illness Benefit](#) will be reduced or the means test for [Supplementary Welfare Allowance](#) will be removed

Announced on **9 March 2020**, the enhanced arrangements are intended to reduce the financial loss incurred by workers, employed and self-employed people who are not adequately covered by occupational sick pay arrangements.

The new payment rates will become effective from 9 March and workers will be entitled to a refund of any arrears due from this date. The implementation of these changes requires

legislation by the Oireachtas and changes to processing systems within the Department. Employers should consider how they can support employees who may face financial hardship during this time lag in payments.

Illness Benefit for those who self-isolate or are diagnosed with COVID-19

The special Illness Benefit payment will be available to those who are medically required to self-isolate or have been diagnosed with Covid-19. To be eligible for this payment a person must be confined to their home or a medical facility.

The personal rate of this payment has been increased to €305 and for those medically required to self-isolate, the payment will be paid for a maximum of two weeks.

Supplementary Welfare Allowance (based on a means test) may also be available for those who still face financial hardship.

Employers are requested to follow public health advice and should not ask staff to stay away from work except in accordance with this advice. Where employers send staff home in circumstances where they are not advised to do so, it is expected that they will continue to pay staff as normal.

Employees who are laid off temporarily, without pay, due to a reduction in business activity, can apply for a Jobseeker's Payment. Employees who are put onto short-time working by their employer due to a reduction in business activity related to Covid-19 may apply for a Short Time Work Support payment.

Taking time off work to care for a person affected by Coronavirus

Many employers can, and do, agree compassionate leave arrangements with staff who need to take short periods of time off to care for another person. These include arrangements to enable employees to work remotely from home, to alter shift-patterns, to work-up time taken, to rearrange parental leave or to bring forward annual leave entitlements from future work-periods.

Where it is not possible to make appropriate compassionate leave arrangements, employees can call on some statutory entitlements.

An employee is entitled to paid leave, known as '**force majeure**' paid leave to provide urgent care for an immediate family relative such as a partner, child, spouse, brother, sister, parent or grandparent. Normally limited to three days in a 12 month period, employers are permitted /encouraged to allow employees take the full five days in these exceptional circumstances, if at all possible. Parents may consider the various parenting leave entitlements and employers are free to waive notice periods for parental/parents

leave or to agree to provide paid leave as an alternative to parental/parents leave.

Workplace Relations Commission guidance

In its technical guidance, the [Workplace Relations Commission](#) (WRC) references the general duty of care on employers to ensure, so far as is reasonably practicable, the safety, health and welfare at work of employees and also that employees have obligations to ensure that they do not pose a threat to the safety of others in their workplace.

In relation to pay and COVID-19, the WRC advise:

- pay arrangements between employers and employees during periods of sick leave are dependent on terms and conditions of the contract of employment, subject to obligations set down in law.
- Where they are not covered under a contract of employment or attendance policy, there is no statutory entitlement for an employee to be paid in the event that they are absent from work. This is also likely to apply where an employee is unable to attend work as a result of precautionary measures taken in line with HSE or HPSC advices.
- The WRC recommends that, in such circumstances, employers and their employees should engage proactively and work to be as flexible as possible to resolve any issues arising and explore options such as:
 - Working from home or other remote working arrangements where feasible and practical
 - Working from an alternative location where feasible and practical.
 - Agreement to work back the hours / days lost
 - Alternative opening days on a day where the business is normally closed
 - Taking of leave to avoid employee loss of earnings
- Where a business is unable to provide work to its employees, an employer may put employees on a period of 'layoff'. These are unpaid, but employees may be entitled to certain [social welfare payments](#).
- If issues are not resolved locally, the WRC points out that an employee may make a complaint under the relevant employment rights legislation. Where an employer and employee are agreeable, the WRC may seek to resolve the matter by means of mediation. Otherwise the complaint will be investigated by an Adjudication Officer.

Communication

At this time, it is necessary to keep informed and follow official advice as it's updated. Keep employees informed on an ongoing basis, particularly in relation to the specific

guidelines for employees who may have been in contact with an infected person, or at risk. Actively communicate this advice with your people, customers and suppliers. Draw on official sources, as there is a risk of misinformation and 'false news' and educate managers and employees.

Implement an internal communication strategy so that employees are aware of measures that are being taken to manage the situation in your organisation. Understand that some people may have real concerns about catching the virus, while others may have worries about family or friends at risk, either here or abroad. Try to reassure employees that there is no need to panic and the risk to the Irish population remains low. Ensure that line managers are regularly informed about the organisation's contingency plans and how to discuss the situation with any concerned employees, and where to signpost people to for further advice or support.

Promote the resources you have available to support people's health and well-being generally, including those through an employee assistance programme.

If the virus spreads widely and/or becomes a pandemic and the risk of infection is heightened, be prepared to step up the level of support you provide to staff and adjust your resourcing plans accordingly. Keep in mind anyone who may be more vulnerable due to a pre-existing health conditions, age, or pregnancy.

Develop flexible resourcing plans

As part of your organisation's contingency plan, explore more flexible resourcing strategies in case your business suffers staffing shortages. Develop strategies to maximise the amount of home working to prevent the spread of infection where necessary. This may be your opportunity to show the positive impact of flexible/remote working on engagement and productivity.

Investigate ways of harnessing the use of technology to limit the amount of face-to-face contact, for example, video conferencing to facilitate remote meetings. For customer facing organisations, consider introducing or maximising the use of self-service options and online services.

Increased sickness absence may create a need for other employees, if willing, to work longer hours to keep your business going. If this happens, you will need to comply with working time regulations to ensure appropriate length of daytime working hours, night shifts and rest breaks. Remember that your organisation could be impacted by parents needing to look after children if their school is closed.

Carry out a resourcing risk assessment of the organisation, identifying essential areas of the business where few employees have the required skills. Training additional employees in these skills should be considered. Ensure that procedures are developed to ensure smooth handovers for employees who are filling in for colleagues in unfamiliar roles. It may be necessary to provide additional training and a risk assessment if individuals are moving to roles where there may be a health and safety risk.

If your operations are severely affected, consider introducing a voluntary special leave policy on a temporary basis whereby individuals can opt to take paid or unpaid leave. Be mindful that there could be some employees who are willing to take additional time off and welcome a break, but others may struggle financially if they lose pay. Consider offering a shorter working week or other flexible resourcing arrangements and communicate the business reasons to employees.

Have in place plans that will enable the organisation to operate on a skeleton staff if necessary. Identify key services and roles that are essential and can't be put on hold, as well as projects or roles that could be temporarily stood down. Identify those individuals and managers who have transferrable skills, who can fulfil more than one function and could be allocated to more essential roles.

Remember, the risk of catching coronavirus in Ireland is still low. At this point the focus has to go on prevention and mitigation, and there is a lot that government, employers and the public can do to minimise risk.

Action should be taken from a sense of care and compassion, with public health uppermost, and be delivered with a message of Keep calm and carry on.