

Coronavirus

A summary of the current advice on sick pay provisions if an employee is off ill or self-isolates due to Coronavirus is set out below, along with a link to the ACAS guidance (updated 2nd March 2020) and NHS advice.

Employee concerns above Coronavirus

If you have an employee who does not want to go to work because they are afraid of catching coronavirus then you should listen to their concerns.

If these are genuine, then you should try to resolve them to protect their health and safety – a suggestion by ACAS is home working but of course that is not going to be possible if working hands on with horses but there may be some way of addressing their concerns.

If an employee still does not want to come into work, you may be able to arrange with them to take the time off as holiday or unpaid leave although you do not have to agree to that. If an employee is unreasonably refusing to work, then it may result in disciplinary action but you would need to ensure you had fully investigated the employee's reasons for not wishing to go into work. Dismissal in such a situation is likely to be outside the range of reasonable responses at this time. Advice should be sought if that situation arises particularly if the coronavirus issues continue in the longer term.

Sick Pay

Employee with coronavirus

The workplace's usual sick leave and pay entitlements apply if someone has coronavirus.

Employee who has been given medical advice to self-quarantine

Strictly speaking the employee's absence isn't down to being unwell – however The Health Protection (Coronavirus) Regulations 2020 contain a declaration about novel Coronavirus stating that it is a serious threat to public health – the effect of this is that if someone self-isolates because they are given a written notice (see link below), typically issued by a GP or 111, then they are deemed in accordance with the Statutory Sick Pay Regulations to be incapable of work and so are entitled to statutory sick pay.

Health professional notice to self-isolate:

https://www.gov.uk/government/publications/wuhan-novel-coronavirus-self-isolation-for-patients-undergoing-testing/advice-sheet-home-isolation?mc_cid=0269909608&mc_eid=fc69b515f4

Employee chooses to self-isolate without medical guidance

There's no legal right to pay if someone is not sick but has chosen to self-isolate, so not on specific medical advice.

Employee requested by employer not to come into work

If an employee is not sick but you tell them not to come to work, they should get their usual pay. For example, if someone has returned from China since the virus started and you ask them not to come in, just in case.

There is more information on the ACAS website about measures that could be put in place if Coronavirus becomes more widespread in the UK and from the NHS.

https://www.acas.org.uk/coronavirus?utm_medium=email&utm_campaign=NTL%20March%202020&utm_content=NTL%20March%202020+CID_a337abeb5d76e5366836ea87874b6b0c&utm_source=Acas%20National%20Email%20Marketing%20Live&utm_term=handling%20coronavirus%20at%20work

<https://www.nhs.uk/conditions/coronavirus-covid-19/>