



## COVID-19 and Your Rights as a Worker

### Frequently Asked Questions – UPDATED 01 April 2020

*The COVID-19 (Coronavirus) emergency is evolving rapidly and Unite will be updating our advice as dictated by circumstances.*

*The additional measures announced by the Government on Friday 27 March have resulted in further business closures, layoffs and job losses affecting many Unite members. The measures also mean that more people are working from home in increasingly challenging circumstances. The information below has been updated to reflect these developments.*

*Unite is endeavouring to maintain our service to members during this unprecedented health emergency. In order to facilitate social distancing in line with public health guidelines, our offices are now closed to public visitors until further notice.*

*If you require assistance, please email [adminroi@unitetheunion.org](mailto:adminroi@unitetheunion.org).*

*Below, please find information on some questions you may have as a worker affected by the COVID-19 emergency. We will be updating this FAQ on a rolling basis as the situation develops; the current version is based on changes announced by the Government on Friday 27 March.*

*As well as the general information below, please scroll down for specific Health & Safety information relating to outdoor and indoor workplaces.*

#### **What if I fall sick and/or need to self-isolate?**

If you feel you may have COVID-19, or may need to self-isolate as a result of COVID-19, the first thing you should do is phone your GP and self-isolate in line with HSE advice. Your GP will assess you and decide if a test for COVID-19 is necessary.

**\* DO NOT GO TO YOUR GP IN PERSON \***

If you are diagnosed with COVID-19, or a GP has certified that you need to self-isolate, you need to inform your employer and adhere to any employment sick pay policy in place. You then need to apply for Illness Benefit. An enhanced Illness Benefit of €350 per week has been agreed for COVID-

19 related cases. To be eligible for this payment you **must** be confined to your home or a medical facility. This payment, which is also available to members of a household who have to self-isolate in connection with COVID-19, is available from the first day of illness.

### **What if I am working from home?**

*On Friday 27 March the Government issued an instruction to people to stay at home and to only travel to and from work if providing an essential service as specified [here](#). This inevitably means that many Unite members are either working from home, have been placed on layoff or rendered unemployed (further information on your rights in the event of layoff/job loss is below).*

If you are working from home at your employer's instruction, your employer must pay you your usual wage. Confirm with your employer that this is the case before agreeing to work from home.

Revenue has made provisions for these people to be reimbursed for work-related expenses, such as heating, electricity and possibly broadband expenses.

An employer can pay €3.20 tax-free (without PAYE, PRSI or USC being deducted) a day to their employee to cover additional costs involved in working from home. It is important to note that there is no legal obligation on your employer to make such a payment.

Even if your employer does not make this payment, you will still be eligible for tax relief on such expenses. Such claims would need to be supported by evidence in the form of receipts, and you may be required to produce a letter from your employer confirming that you have been working from home.

Further information on e-working and tax is available on the Revenue website [here](#). Health and safety information relating to working from home during the COVID-19 emergency is available [here](#).

### **What if I want to work from home during this period?**

While the widespread closures referenced above mean that many people have to work from home, there may be other workers in 'essential services' who wish to work from home during this period in order to mind children during the period of school closure or for other health, personal or family reasons. You should approach the company and request to be facilitated in that regard. It is at your employer's discretion whether or not to grant that request but they should be cognisant of public health and Government advice.

### **What if my employer asks me to attend work, but I don't feel safe doing so?**

Under the 2005 Health, Safety and Welfare at Work Act, workers must report a hazard or danger to their employer in the first instance. If an employee leaves the workplace because of an emergency, or because of serious and imminent danger, they cannot suffer any detriment as a result. Further information on the Act is available from the Health and Safety Authority [here](#).

## What if I have been placed on lay off – and my employer is operating the Temporary Wage Subsidy Scheme?

Government-ordered closures of businesses (most recently on 27 March 2020), as well as reduced demand in some sectors due to the pandemic, have resulted in a significant number of lay-offs.

The Government has asked those employers who have ceased trading to continue to pay workers during this period; this measure is intended to retain the link between workers and their employers.

A wage subsidy scheme has been established through which the Government will pay relevant employers 70 per cent of a workers' salary (after tax) - up to maximum of €410 per week – in respect of workers who would otherwise have been laid off. This payment, which employers may top up, is intended to ensure that workers retain their link with employers and they do not have to submit a jobseeker claim.

This scheme replaces the COVID-19 Refund Scheme announced on 15 March, and will apply for a period of 12 weeks from March 26<sup>th</sup>.

### *Operation of the Temporary Wage Subsidy Scheme:*

- The subsidy scheme applies **both** to employers who top up employees' wages and those that aren't in a position to do so.
- Employers make this special support payment to their employees through their normal payroll process.
- Employers will then be reimbursed for amounts paid to employees and notified to Revenue via the payroll process.
- The reimbursement will, in general, be made within two working days after receipt of the payroll submission.
- Under the terms of the scheme, employees laid off as a result of the COVID-19 situation can also be put back on payroll and will be covered by the subsidy.
- In April, the scheme will move to a subsidy payment based on 70% of the weekly average take home pay for each employee up to a maximum of €410\*.
- Income tax and USC will not be applied to the subsidy payment through the payroll.
- Employee PRSI will not apply to the subsidy or any top up payment by the employer.
- Employers PRSI will not apply to the subsidy, and will be reduced from 10.5% to 0.5% on a top up payment.

A comprehensive FAQ on the Wage Subsidy Scheme is available [here](#).

## What if I have been placed on lay off – and my employer is NOT operating the Wage Subsidy Scheme?

If a worker is laid off without pay, there is **no need to claim in person at an Intreo centre**. Instead, a new support payment is being introduced which will apply to those workers whose employers do lay them off. This **Covid-19 Pandemic Unemployment Payment** will be paid at a flat rate of €350 per week for the duration of the crisis.

The payment is available to all employees and the self-employed who have lost their job due to the COVID-19 (Coronavirus) pandemic.

The Covid-19 unemployment payment can be applied for through the Department of Social Welfare's online portal [www.MyWelfare.ie](http://www.MyWelfare.ie).

All that is required is for the applicant to have an email address, a bank account and a Personal Public Service Number. You will find your PPS number on a range of documents, including previous payslips. Simply go onto the Covid-19 Services section of the website and apply for the payment. You will have to set up an account but it is a simple and straight forward process.

**To avoid any delay in payment, it is very important that you check carefully to ensure you have supplied the correct bank account and PPS numbers.**

If you already applied before the 24th of March or are already in receipt of the Pandemic Unemployment Payment you do **not need to do anything**. Your next payment will be paid at the increased rate.

### **What about other social welfare payments?**

If you were working and were also in receipt of any social welfare payment such as a Carers Payment, Working Family Payment (WFP) or One-Parent Family Payment, you can, provided you have lost your job due to COVID-19, also claim the COVID-19 emergency payment, in addition to retaining your existing welfare payment. The COVID-19 Payment Unemployment Payment will replace your employment income and will be regarded by the Department as equivalent to employment income.

If you have one adult and one or more dependent children you should claim a [Jobseeker's Payment](#) instead of the COVID-19 Pandemic Payment.

This is because you can claim an additional allowance for your adult dependant and child dependants, which will bring your weekly payment to in excess of the €350 weekly payment due under the emergency COVID-19 Pandemic Unemployment Payment.

### **What if I have been placed on short-time working?**

If your employer reduces your hours to 3 days or less per week from your normal full-time hours, you can apply for a payment called [Short Time Work Support](#).

Your employer can also put you on short-time working which is a more formal procedure and applies in the following situation:

- Due to a reduction in the amount of work to be done, your weekly pay is less than half your normal weekly pay, or
- Your hours worked are reduced to less than half your normal weekly working hours

### **What if my employer instructs me to go home?**

You are entitled to clarity regarding your work situation, and in particular regarding whether you are to be paid, or are being laid off, made redundant or expected to work from home. If unclear on any of these or related questions, contact your employer in writing (e.g. by email) and ask them to

confirm your employment and payment status in writing. In the event that your employer says that you will not be paid the Department of Social Protection will require written confirmation of your status if you are applying for a Social Protection payment.

A simple email detailing when, where and by who you were told to go home and asking that your status be confirmed to you in writing without delay will assist you to explain your circumstances to the Department of Social Protection.

**If I have been placed on layoff or short time working as a result of COVID-19, can I claim for a redundancy payment?**

The provisions of Section 12 of the Redundancy Payments Act 1967 have been suspended where an employee has been temporarily laid off or put on short-term work arising from the COVID-19 emergency measures.

## **Workplace health and safety – outdoor sites**

*All non-essential construction sites should have been closed as a result of the measures announced by the Government on 27 March. In respect of essential sites, please note the information below.*

### **You should have a Health and Safety Representative – and you should know who s/he is**

Under the 2005 Safety, Health and Welfare at Work Act, all employees are entitled to elect a Health and Safety representative. You may also have a union safety rep. It is important that you know who they are, that they are fully updated on any health and safety risks and relevant measures.

### **Your employer must carry out a Risk Assessment for COVID-19**

Employers are required to assess the risk for COVID-19 in their workplace, to identify and implement suitable control measures, and to communicate those measures to all relevant employees and others who may be impacted.

### **Your employers must implement hygiene measures**

Hot water, soap and hand sanitiser must be freely available on site, and workers must be able to disinfect shared tools between uses.

### **Your employer must implement social distancing measures**

The HSE recommends that people maintain a minimum distance of 6 feet from each other.

This can be done in a variety of ways: staggered work, social distancing in canteens or employees taking lunch individually; staggering the use of hot water and washing facilities. No more than one person should work in a room at a time.

### **Traveling to site**

Social distancing requirements mean that people should not be sharing crowded transport to and from work (for example, minibuses travelling to construction sites). Employers should consider deployments carefully, where possibly assigning workers to sites near where they live to limit travel, especially if public transport needs to be used.

### **You are legally entitled and obliged to protect your health and the health of others**

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## Workplace health and safety – indoor workplaces

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### **Hygiene measures**

Your employer should provide:

- hand washing soap and sanitiser
- access to warm water
- cleaning agents
- gloves
- closed bins

### **Office cleaning**

Employers should ensure that offices are cleaned thoroughly at frequent and regular intervals and more frequently than usual.

Where employees are working in customer-facing roles, such cleaning should include touchpoint cleaning to protect staff and customers. Staff should be facilitated in taking regular breaks to wash hands, even if this means temporary office closure and resultant disruption for customers.

### **Minimising interactions**

Staff should and enforce strict social distancing of two metres between themselves and members of the public, and between members of the public where applicable. In situations where a queue could form, tape should be placed on the ground two metres apart where customers must stand in order to maintain strict social distancing.

### **Minimising movement and travel**

Employees should work from only one location, preferably nearest to their home.

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