

# Employee Q&A

## - Covid-19



### We wanted to keep you informed about the Coronavirus Job Retention Scheme (CJRS) and Short-Time/Reduced Hours Working.

#### ■ Can I carry out work whilst furloughed?

No, this is not permitted under the rules governing the CJRS.

#### ■ What pay will I receive?

You will receive 80% of your gross monthly salary subject to a maximum of £2,500 per month. The Government will reimburse employers direct for furloughed employees up to this level.

#### ■ What happens to my benefits?

Further guidance from the Government regarding contractual benefits and holiday accrual during the period is awaited. The Government are providing 3% employer pension reimbursement.

#### ■ How long will furloughing last and is there a minimum period required under the CJRS?

The duration of furloughing will be dependent on the needs of the business and considered on a case by case basis. The earliest date from which furloughing will typically commence is 1 March 2020. However, where people have been sent home without work to do prior to this date, then we will back-date furloughing. Furloughing may commence at any time during the continuation of the CJRS, subject to a minimum period of 3 weeks.

#### ■ Can I be furloughed if I am working out my notice?

Yes.

#### ■ Can a period of furloughing cease and then resume?

Yes, dependent on the business need meeting the criteria of the CJRS and to otherwise avoid a redundancy situation resulting from subsequent reduced work levels.

#### ■ Can I be furloughed if I am due to be going on maternity leave, or am on maternity leave?

Yes.

#### ■ Can I appeal against a decision to furlough me?

You do have the option to refuse. Our aim is of course to obtain consent in the special circumstances. As such there will be no need for an appeals process.

#### ■ If furloughed, would I be more likely to be made redundant beyond the operation of the CJRS than somebody who has not been furloughed?

A decision to furlough an employee does not necessarily mean that this person is more likely to be made redundant in any subsequent exercise if this is required.

#### ■ How does redundancy operate if any specific situations arise and what terms apply?

The individual will be notified of the business case and a consultation process followed. If this does not identify any alternative to issuing notice of redundancy, then statutory redundancy terms will apply.

#### ■ What happens at the end of the current CJRS period?

It is expected that an extension of the period may be made by the Government, but furloughing will need to cease whenever the CJRS comes to an end. The firm would then have to review the situation at that time.

ARAG works in partnership with Ashfords' solicitors, the content of this article was written by Ashfords' Employment Team.

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