

How should employers handle the coronavirus outbreak?

The information in this guide is correct as of 11th March 2020.

With the number of coronavirus cases rising daily, it's vital to have a contingency plan in place.

Employers need to ensure that proper control, preventative and where necessary, isolation measures are in place.

Wellbeing

It's important to remember that your employees will be worried about the virus. In addition to having a duty of care to protect employee health and safety, you also need to consider their wellbeing. Consider any wellbeing initiatives you have and remind employees of them, for example, an Employee Assistance Programme.

Give employees the facts

The risk of anyone who has not recently been to an affected area picking up the infection is very low, unless someone they are close to has the virus. Risk of becoming infected will differ depending on personal circumstances, but it's still important to convey to employees the reality of the situation to keep concerns proportionate to the risk.

Business travel

The Department of Foreign Affairs (DFA) is regularly updating its travel advice for all affected areas.

The advice from the DFA is 'to avoid all non-essential travel to and within China.' Consider alternatives to any planned travel to China or other affected areas, e.g. postponing a trip, or carrying out meetings via Skype. If travel is deemed necessary, then you should effectively, but proportionately, manage the risk. Always know where your employees are and where they are going. Ensure they are given clear instructions on hygiene.

If employees report symptoms of the virus while they are travelling, you will have to support them. You should also consider making plans to enable any of your employees who are based in China to return to Ireland.

Employees returning from affected areas

Employees returning from China or other affected areas should contact their local Department of Public Health for advice on measures that may need to be taken for 14 days following their return to Ireland.

If employees have any symptoms of novel coronavirus, including cough, fever, shortness of breath or difficulty breathing, on arrival or at any time in the 14 days following their return, they should self-isolate straight away and phone their GP or emergency department rather than turning up in person. Employees who have recently returned from an affected area will be prioritised by their local Department of Public Health.

Employees with concerns should call **112** or **999** to receive expert medical advice from public health officials.

Existing health conditions

When determining your response to the virus, pay particular attention to the needs of certain employees who may be vulnerable, e.g. those with existing respiratory conditions such as chronic lung disease, diabetes, and cancer, as well as those who are pregnant or are older.

Suspending employees who may have been exposed to the virus

Where you have concerns about a non-symptomatic employee (particularly if it's known or suspected that the employee has had contact with someone known to have the virus) then the best advice might be to play it safe with a brief period of suspension on precautionary grounds.

Where you choose to suspend returning employees just as a precaution, it will have to be on full pay unless the contract gives you a right to suspend without pay for this reason (which is unlikely).

Employees who have been advised to self-isolate

If an employee is instructed to stay away from work for 14 days, there is no legal requirement to pay them under these instructions unless they report to you as sick during that time in which case normal sickness absence and pay procedures should apply. However, you may choose to continue to pay employees, particularly if they were in an affected area on business.

The government is moving to pass emergency legislation to amend the qualifying criteria on sick pay in response to the coronavirus outbreak. This measure is designed to ensure that employees do not refuse to self-isolate on financial grounds.

Illness Benefit will rise from €203 per week to €305 per week and it will be available from the first day of the employee's absence rather than after six days which is the status quo. Employees will not need to have made the minimum number of PRSI contributions, but will require medical certification to avail of the benefit.

If employees who fall into this category attempt to come to work, you should remind them of the medical instructions and tell them to go home for the stated period. Again, there would be no legal requirement to pay the employee because it's not the employer advising the employee to stay off work, it's necessary under official government advice though you may consider topping up the Illness Benefit.

A second option is to offer the employee the option of taking paid annual leave as this helps reduce the risk that the employee feels compelled to attend work which would put other employees at risk of catching the virus.

If organisations choose not to pay employees who have been advised to self-isolate, they must ensure that the approach is consistent and adheres to custom and practice. An inconsistent approach may lead to claims if one employee receives less favourable treatment than another.

Employees who refuse to come into work due to concerns

If an employee has returned from an affected area or is worried about catching the virus and so refuses to attend work, organisations should listen to the employee's concerns and offer reassurance. An employer's response to this will depend on the actual risk of catching the virus and will depend on the specific circumstances including whether anyone in the workforce has already been diagnosed or there is another real risk of exposure. Employers may decide to offer a period of paid annual leave or unpaid leave, or allow the employee to work from home where this is feasible. Responses should be proportionate to the specific situation.

Discrimination, bullying and harassment

Coronavirus is not a reason to treat employees differently because of their nationality. You should be alert to 'banter', and other instances of harassment, between employees about the virus which relates to someone's nationality or ethnicity. Ensure that your zero-tolerance stance to harassment is maintained.

Hygiene measures

It's critically important that all employees practice the recommended hygiene measures. The World Health Organisation's standard infection control measures are:

- Frequently cleaning hands by using alcohol-based hand rub or soap and water.
- When coughing and sneezing cover mouth and nose with flexed elbow or tissue – throw tissue away immediately and wash your hands.
- Avoid close contact with anyone who has a fever and cough.
- If you have a fever, cough and difficulty breathing, phone your GP (do not visit the GP surgery) and tell your GP if you have been in China in the last 14 days.

Need our help?

If you would like further complimentary advice on how to prepare for the coronavirus, our expert advisors are ready to take your call any time day or night. Call us on 1890 252 923 today.

In order to keep up with developments, visit our coronavirus guide at:
<https://www.peninsulagrouplimited.com/ie/blog/how-should-employers-handle-the-coronavirus-outbreak/>

