



HR Power Hour Coronavirus Spring Clean!

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@geldards

Welcome - the Midlands Employment Team



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“**The team at Geldards are great, incredibly reliable and competent**”

Client quote, Legal 500 – the world’s largest legal referral guide

One year on...

- Plan, plan and plan again...
- *Dust*: Working patterns
- *Hoover*: Headcount amnesty
- *Steam clean*: Compulsory testing & vaccinations?
- *Skirting Boards*: Reclaiming SSP

Dust: Working Patterns

“Well I tumble out of bed and stumble to the kitchen;
And pour myself a cup of ambition
Yawn and stretch and try to come to life...
Jump in the shower and the blood starts pumping,
Out on the street, the traffic starts jumping
With folks like me on the job from 9 to 5”

Dolly Parton

How things have changed!

- “Covid has changed working patterns for good”
- “We are **never** going back to how we worked before” BCO
- “Blended approach required”
- “Working from home doesn’t suit everyone”
- “Everyone wants a 50/50 approach”
- Different approaches for different companies/ individuals

So, what are some of the positives/ negatives of this new way of working?

- Positives

- Negatives

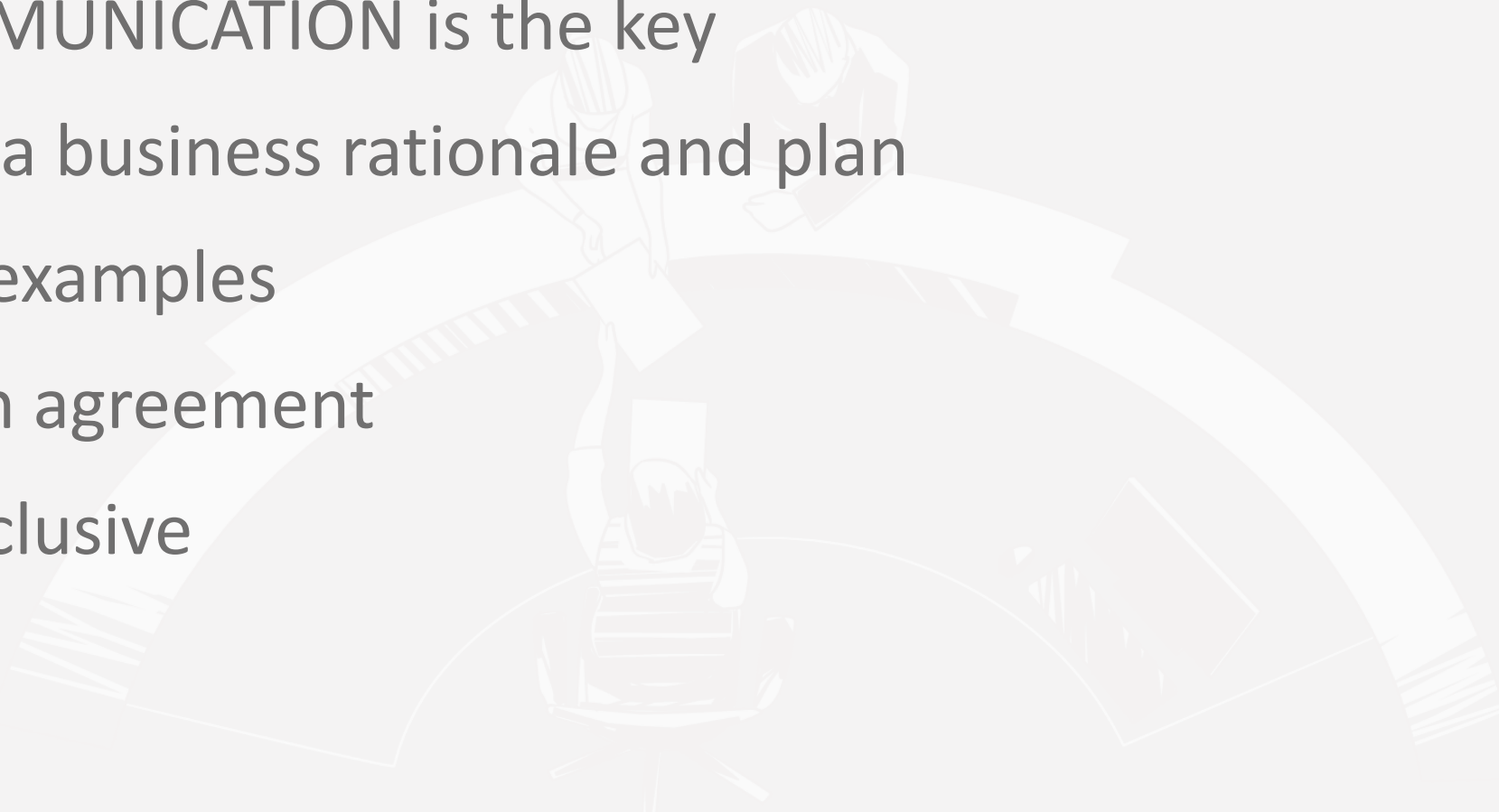


What are the risks in altering a contract?

- Disgruntled work force
- Potential Breach of Contract claims
- Potential claims of Constructive or Unfair Dismissal
- Potential breach of Working Time Regs
- Potential discrimination claims

Helpful steps

- COMMUNICATION is the key
- Have a business rationale and plan
- Give examples
- Reach agreement
- Be inclusive



Any questions

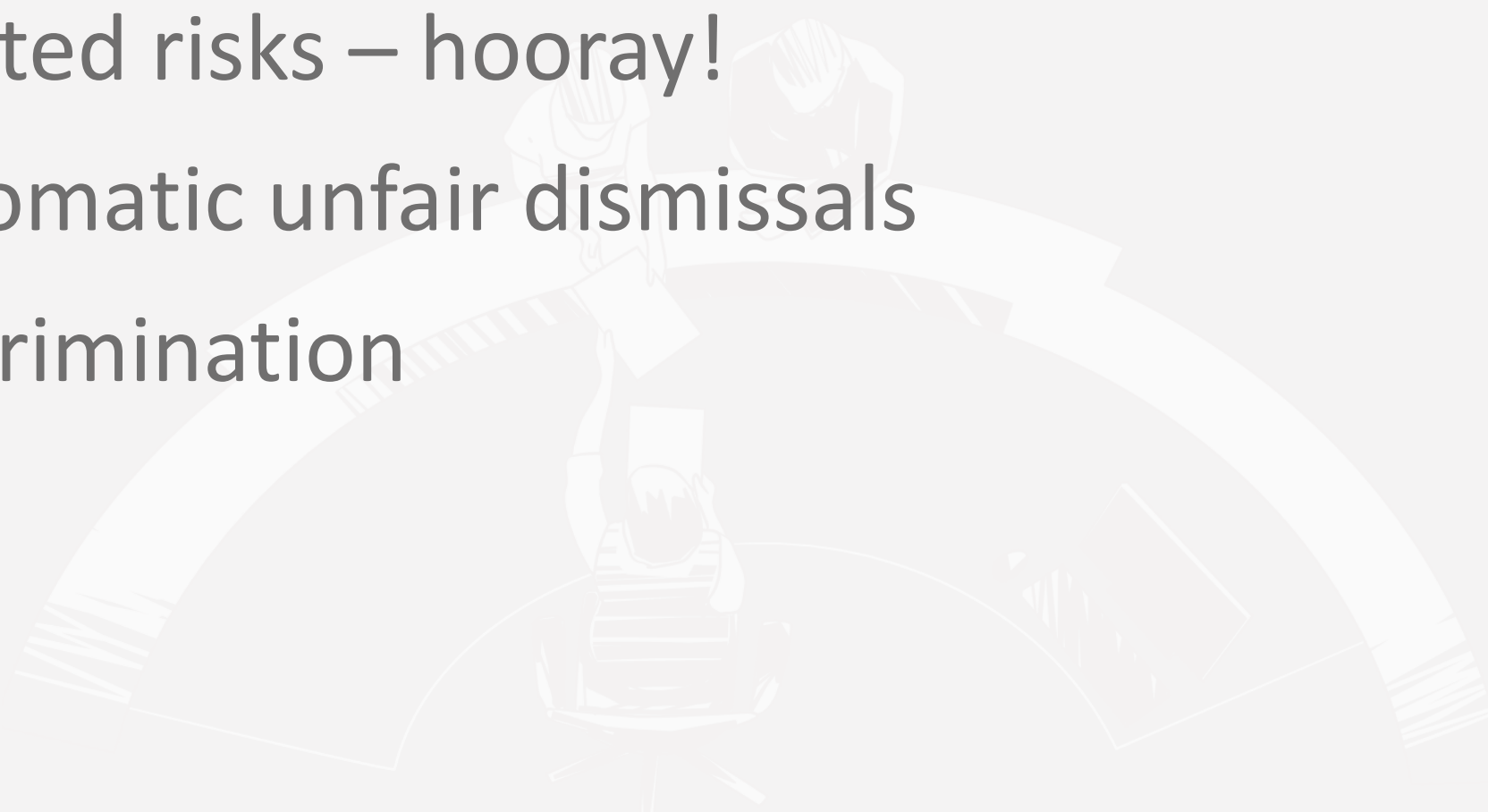


Employee amnesty

- Reducing headcount
- Unsuitable employees
- Fail to prepare, prepare to fail
- Unfair dismissal
- 2 years service

The Risks...

- Limited risks – hooray!
- Automatic unfair dismissals
- Discrimination



Start the amnesty

- *Stage 1* : Review Structure / make a plan
- *Stage 2* : Review your staff
- *Stage 3* : Identify relevant staff
- *Stage 4* : Deal with it / put plan into action

Key points

- Identify potential risks
- Any dismissals should be on notice
- Statutory notice counts (even if you pay in lieu)

Compulsory testing & vaccinations

- Changing landscape
- NHS efforts
- Returning to “normal” & economy opening up
- Difficult employees
- Health & safety benefits

Vaccinations – conflicting views?

- Can we oblige someone to have it?
- Government Policy – no
- Employers – no
- BUT – Health & Safety obligations

What can you do?

- 2 years service
- Fair reason:
 - Conduct
 - Capability
 - Some other substantial reason (SOSR)
- Fair process

Risks?

- Discrimination
- Health & Safety
- Fundamental breach of contract
- Negative publicity
- Adverse side effects
- Data protection
- Implied duty of trust and confidence

What can you do?

- Contractual requirement
- Vaccination Policy
- Keep it in context
- **COMMUNICATE!**
- Flexible working requests

What about testing?

- Can't oblige them
- More invasive / regular
- More effective against the spread?
- **COMMUNICATE!**

Reclaiming SSP

- Rebate Scheme
- Who can claim?
- What can be claimed
- 2 weeks maximum
- Record keeping

Any questions



Breakout rooms – case studies...

