



The “F word” What does furloughing mean for your business?

Emma Tice, Partner, Employment

16th April 2020

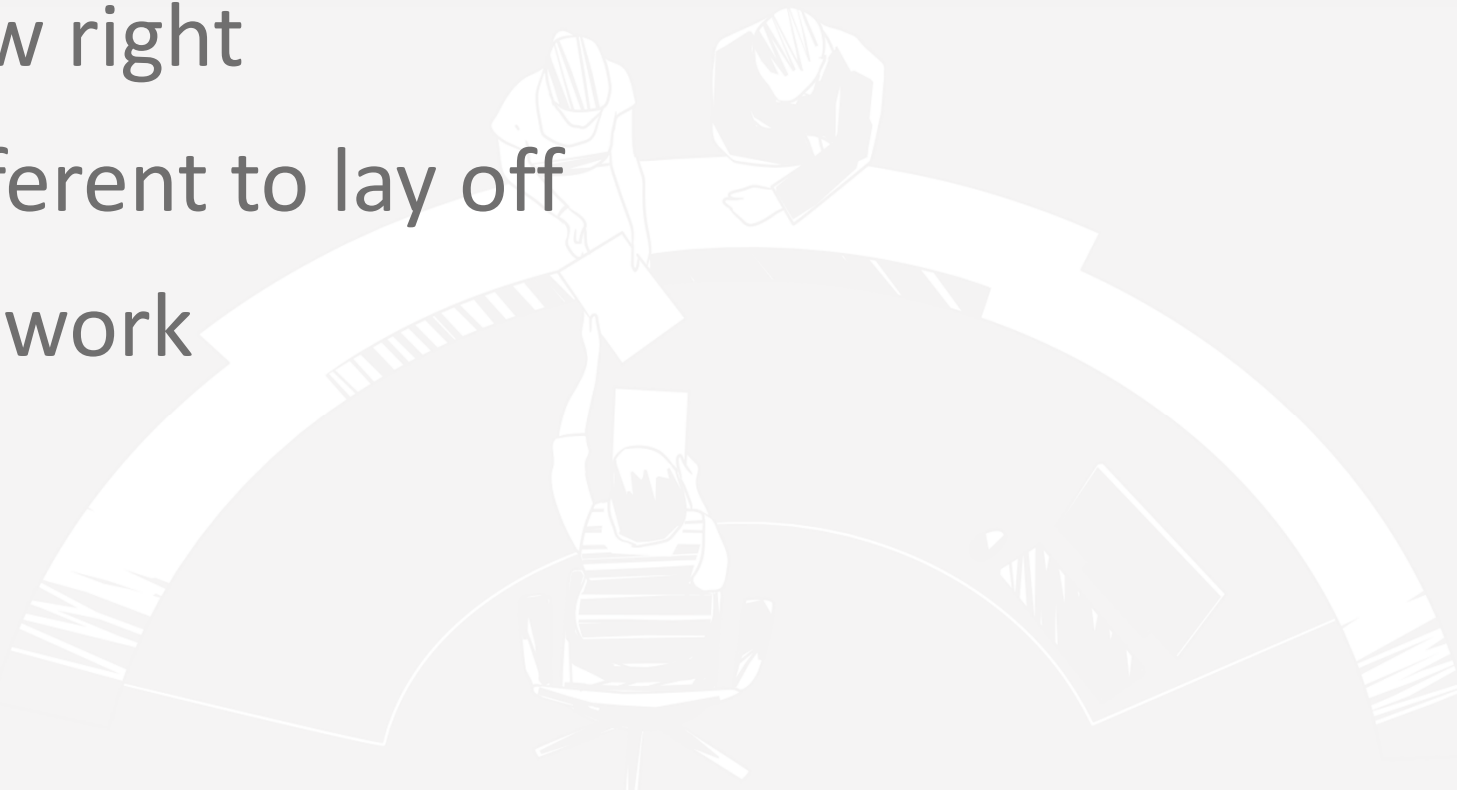
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Agenda

- Furlough – what do we know?
- “in writing and agreed”
- Holidays and furlough
- Quirky queries
- Changing contracts of employment
- Key date 18 April & collective consultation

Furlough

- New right
- Different to lay off
- No work



Coronavirus Job Retention Scheme

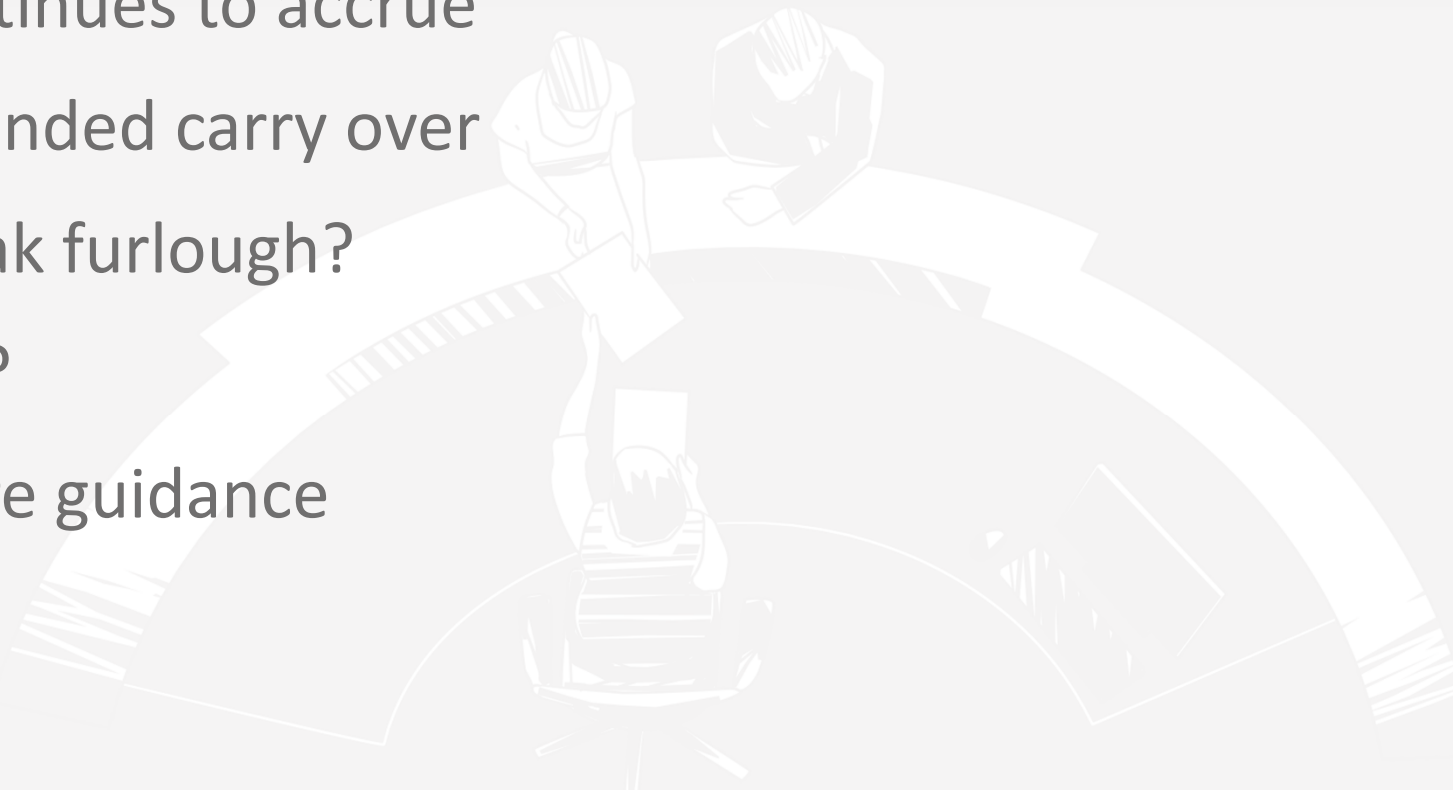
- All staff on PAYE at 28 February 2020
- 80% pay, capped at £2,500 + payments “obliged” to make
- No work, only training or volunteering
- Minimum of 3 weeks
- Auto-enrol pensions and employer’s NIC
- Until 31 May 2020

In writing and agreed

- Don't forget!
- Change of contract
- Need consent
- How and why selected?
- Length of furlough + curtail or extend
- Point of contact
- Expectations
- Collective consultation cover off(?)

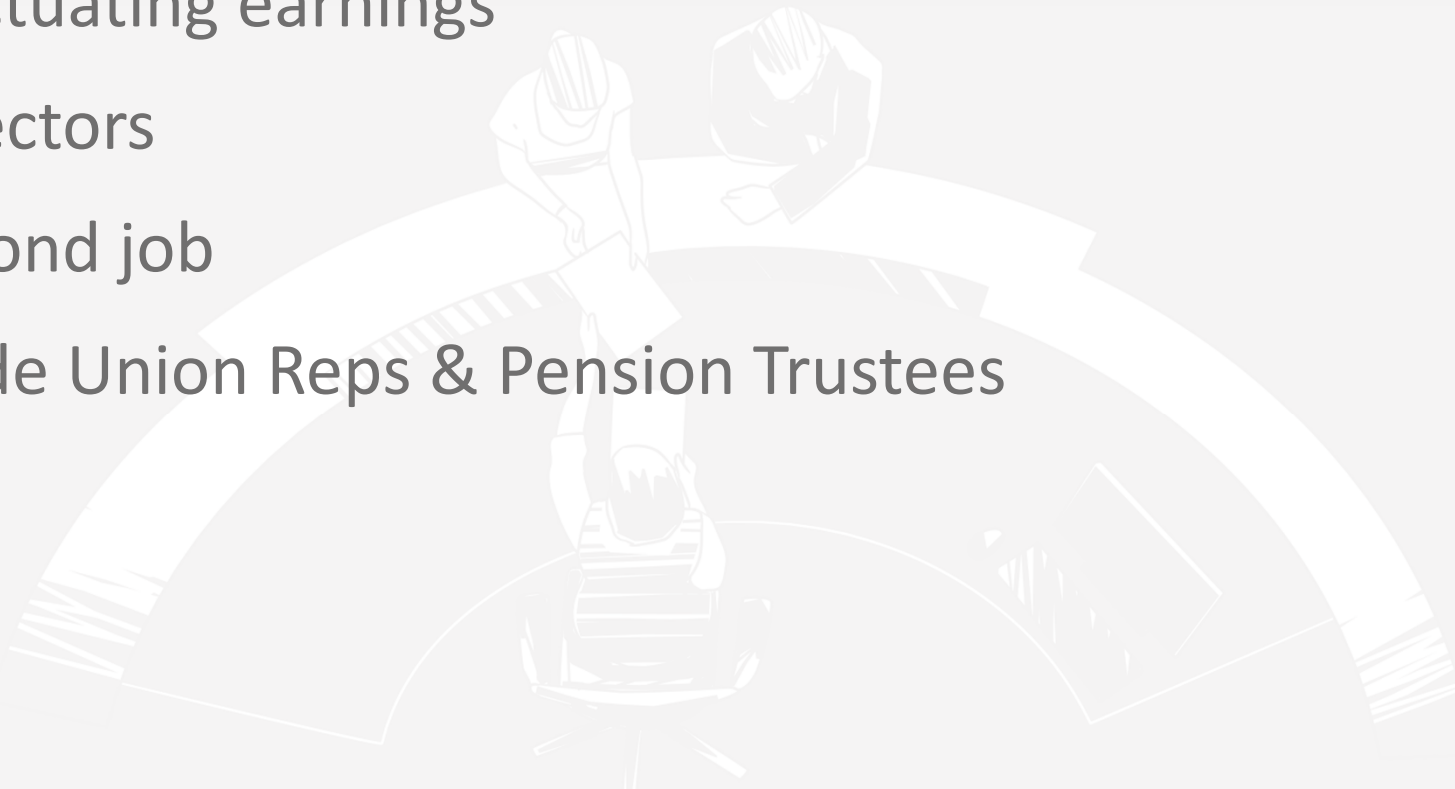
Holidays

- Continues to accrue
- Extended carry over
- Break furlough?
- Pay?
- More guidance

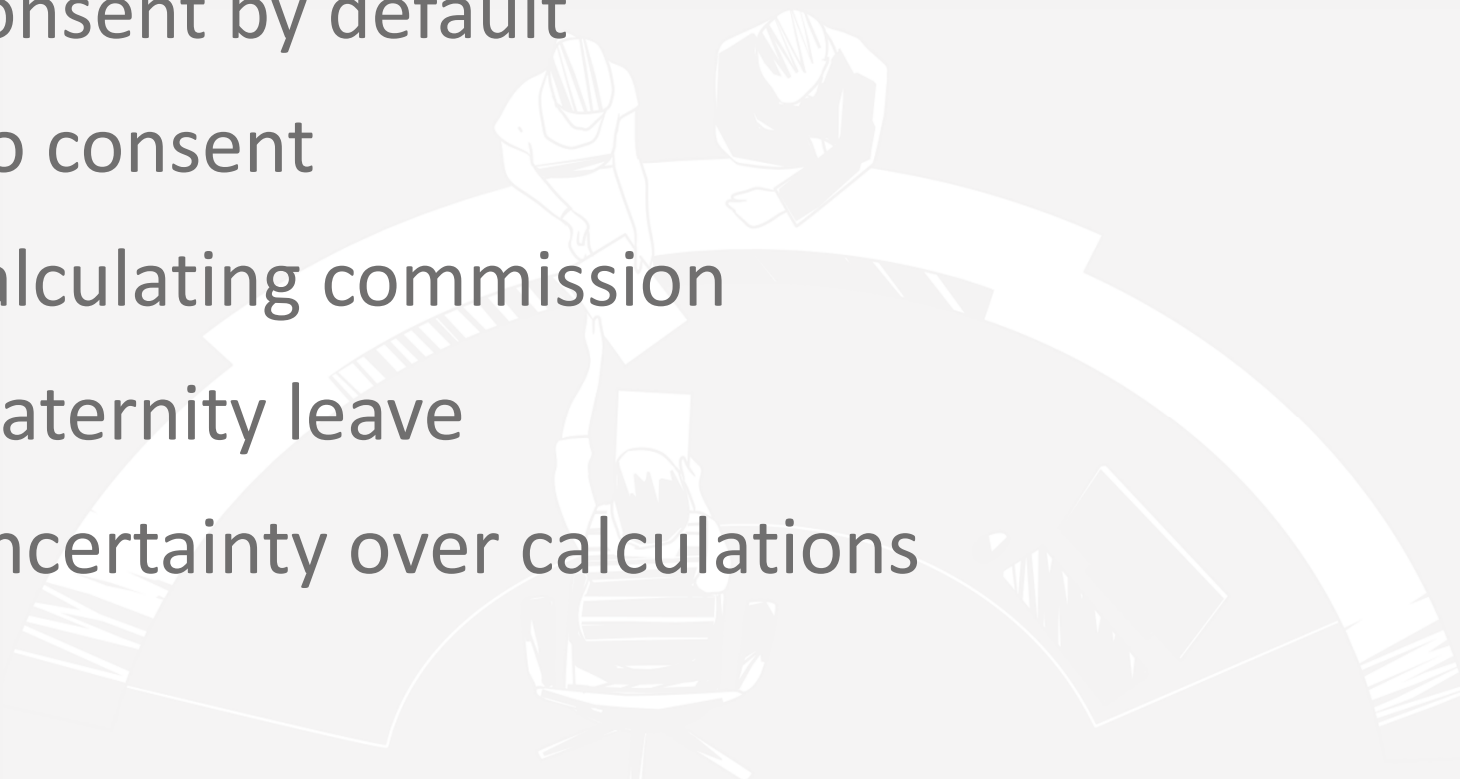


Quirky queries

1. Fluctuating earnings
2. Directors
3. Second job
4. Trade Union Reps & Pension Trustees



Quirky queries

5. Consent by default
 6. No consent
 7. Calculating commission
 8. Maternity leave
 9. Uncertainty over calculations
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Other changes to contracts

- Hours of work/pay etc
 1. By consent
 2. Implied consent
 3. Termination and re-engagement
- Collective consultation?
- Process

Collective consultation

- 20 + employees
- 18 April key date (100 + employees)
- Special circumstances defence
- Include in furlough agreement?

Any questions



Contact details



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