

# FAQs – Live Webinar

## Managing HR Risk in your Business (31.03.20)

Updated 16.11.20

### Q. What is the illness benefit?

- Normal Illness Benefit rate is €203.
- COVID Illness Benefit is €350.
  - It will be paid for a maximum of 2 weeks where a person is self-isolating (certified by GP)
  - It will be paid for a maximum of 10 weeks if a person has been diagnosed with COVID-19 (Coronavirus).
  - If a person has been certified for less than 10 weeks, they will be paid for the duration of their certificate.

### Q. Is this Health & Safety Leave?

Health and Safety leave does not apply where a medical emergency is declared. Health and safety leave is available to employees who are pregnant, have recently given birth, or who are breastfeeding (Section 18 of the Maternity Protection Act 1994). Most likely this situation does not apply to your workplace right now.

### Q. Can I top up the COVID-19 Pandemic Unemployment Payment?

The Redundancy Payments Acts provides for the layoff of employees where an employer is unable to provide work for which the employee was employed to do and the employer believes that the cessation will not be permanent and provides the employee with notice.

Covid-19 Pandemic Unemployment Payment has been introduced for anyone whose employer is unable to continue to pay them for example in a layoff situation. The payment is available to all employees and the self-employed who have lost employment due to the pandemic. The COVID-19 Pandemic Unemployment Payment will remain open to new applicants and continue to be paid until 30 June 2021. You can top up this payment as an employer if you can avail of the Temporary Wage Subsidy Scheme.

**Q. We are all concerned – how can I alleviate some concerns of my staff?**

This is a worrying time for all – step-up communications to staff to ensure they are informed of developments and the resources and advice open to them.

**Q. Am I allowed to tell other team members if a team member contracts COVID-19?**

Treat personal data related to health carefully. While clear protocols will have to be communicated to other colleagues in the workplace who may be at risk, information related to the health of an identifiable person is a special category of personal data which cannot be processed by a data controller except in very limited circumstances under GDPR. You have an obligation to take steps to ensure that the privacy of the individual's personal data related to their health is kept secure and is not processed in a manner that is inconsistent with the GDPR.

**Q: How do we manage holiday entitlements for staff who have been laid off and are availing of the COVID-19 Pandemic Payment?**

Annual leave does not accrue during lay off periods. In respect to any annual leave that has been accrued to date it would appear that Revenue are asking Employers to cease laid off employees from their payroll system. It would appear Revenue are trying to match their records of those who have applied to the payroll details.

However, before completing the same make sure to communicate with your employees that this is not a termination - their job is there for them at the end of this crisis and annual leave will not be paid at this time and will be available to them to take on their return to work.

**Q: Can an employee take up another position at a different company while on temporary lay-off from us? How does this affect their contract of employment?**

Yes, the employee can take up another position at a different company. It does not affect their contract of employment in any way.

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