

## Unite Housing Workers Branch

### Lockdown Guidance – January 2021

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#### Introduction



A new year brought a new set of restrictions for us as workers when the country entered another national lockdown.

This guidance offers some useful pointers on the law and keeping safe.

To read the most up to date government guidance in full, please see here:

- <https://www.gov.uk/guidance/national-lockdown-stay-at-home>

#### Going to Work

Government rules stipulate that:

- You may only leave your home for work if you cannot reasonably work from home.
- Where people cannot work from home - including, but not limited to, people who work in critical national infrastructure, construction, or manufacturing - they should continue to travel to their workplace. This is essential to keeping the country operating and supporting sectors and employers.
- Public sector employees working in essential services, including childcare or education, should continue to go into work.
- Where it is necessary for you to work in other people's homes - for example, for nannies, cleaners or tradespeople - you can do so. Otherwise, you should avoid meeting for work in a private home or garden, where COVID-19 Secure measures may not be in place.
- Employers and employees should discuss their working arrangements, and employers should take every possible step to facilitate their employees working from home, including providing suitable IT and equipment to enable remote working.
- The risk of transmission can be substantially reduced if COVID-19 secure guidelines are followed closely. Extra consideration should be given to those people at higher risk.

**Points to Note:** If you are able to work from home, please do so. There is a duty for the employer to provide you with the necessary equipment. You can point your employer to the

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highlighted section if they are unaware of this obligation or are resistant.

If your work is such that you have to be somewhere other than home, then having the right personal protective equipment (PPE) is essential, even if it is just for travel, and you should not work without it. You could endanger yourself and everyone you come into contact with.

The type of PPE appropriate to different kinds of work is set out here.

- <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

### Travel

Government advice stipulates that:

- You must not leave your home unless you have a reasonable excuse (for example, for work or education purposes). If you need to travel you should stay local – meaning avoiding travelling outside of your village, town or the part of a city where you live – and look to reduce the number of journeys you make overall.

**Points to Note:** The requirement to reduce the number of journeys could mean that it is better for you to work fewer but longer shifts. Or to be in the office some days, but work from home on others to complete admin tasks. If your employer is resistant to such changes, you can point to the highlighted section to support your case.

### The Furlough Scheme

Workers can still be furloughed so long as they were employed by their current employer on the 30th October 2020. The current scheme runs until 30th April.

There is no financial detriment to the employer when workers are furloughed, and therefore no economic argument for making any employee redundant. If you are put at risk of redundancy and want to stay in employment, you should contact Unite immediately.

The government's latest statement regarding furlough is here:

- <https://www.gov.uk/government/news/chancellor-extends-furlough-and-loan-schemes>

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### Holiday Entitlements

Government has advised that:

- Almost all workers, including zero-hour contracted workers and those on irregular hours contracts, are legally entitled to 5.6 weeks' paid holiday per year. The exception is those who are genuinely self-employed.
- Workers who have been placed on furlough continue to accrue statutory holiday entitlements, and any additional holiday provided for under their employment contract.

**Points to Note:** Using annual leave instead of furlough is acceptable if it works out better for you to do so. However, if you are furloughed, the time is treated as if you were working, so you would still build up holiday entitlement during your furloughed time.

We advise checking your HR records to make sure you receive all your holiday allocation.

### Getting Help From Unite

If you need advice or support, in the first instance please contact your local representative. You can also contact the branch to refer you to the right person, or to provide help if there is no local representative.

info@housingworkers.org.uk  
**Unite Housing Workers Branch**



### Case study: Mungos successfully challenged by Unite

A female worker came to the end of a period of sickness during the pandemic. Health conditions put her at raised risk. She is also older and from a BAME background. Rather than furlough her or find her alternative work, Mungos shamefully stopped her pay.

Her treatment was successfully challenged by Unite, although the union is still in dispute over backpay.

- [http://www.housingworkers.org.uk/re-adnews.html?con\\_id=865](http://www.housingworkers.org.uk/re-adnews.html?con_id=865)