

SNOWED IN



When bad weather causes disruption, what are your employees' rights and responsibilities? HR expert **Vicky Stanton** shares her advice...



May I first take the opportunity to wish you and your staff a Happy New Year. As we near the end of February, your thoughts may be turning to spring, but while most of us have avoided the snow and ice thus far, now is not the time to become complacent - you only have to look back to last March (ow.ly/t27nX) for evidence of why!

So, if you haven't thought about your bad weather policies recently, now might be a good time. Keep in mind the following points:

Employees are not automatically entitled to be paid if they cannot get to work due to bad weather.

Unless the employer pays for travel time or provides transport, there is no legal right to be paid for time lost due to travel disruption, or for any days lost due to

poor weather. However, employers may have contractual, collective or custom and practice arrangements in place for this. If staff cannot genuinely get into work, are they required to take holiday? Do they have an unpaid day? Can they make up the time elsewhere during the next few months?

Be flexible, if possible.

Employers who are able to be flexible with working hours and location may have an opportunity to enhance staff morale and productivity by the way they handle bad weather disruption. Could some staff work from home, could you introduce different working patterns or is there someone who can cover at short notice who lives nearer?

Talk to staff about your policy before the situation arises.

They will know what to expect then if they are late or cannot get in at all. Ask them to think about how they will get to work if the public transport network is affected. Do they have arrangements in place if their child's school is closed due to the bad weather? Do

they know how to get in touch with the relevant person at the workplace if they are delayed or not able to attend?

Plan ahead.

What does your policy currently say? Is it time to review it so that there are clear processes around pay, lateness due to the weather, expectations of staff to try to get into work and your contingency arrangements if they cannot?

Parents and school closures.

Even with the best planning there may be the occasion where a parent of a child is left with the emergency situation of a school being closed and no back-up support available. In circumstances such as this an employee is entitled to take unpaid time off to look after their children as a result of not having any childcare arrangements. In extreme weather conditions, this could be seen as an emergency situation. It is not possible to advise on how much time off comes under the 'time off for dependants' legislation as each employee is entitled to as much time off as is necessary to make alternative childcare arrangements.

ZERO HOURS CONTRACTS

AN UPDATE ON THE GOVERNMENT'S POSITION...

You may have been aware of the government's concerns over the use of zero hours contracts following the startling revelation last year that up to one million workers are employed on this basis. Zero hours contracts are a great way of maintaining a flexible workforce, if they are used in the correct manner.

The government has ruled out banning zero hours contracts and has launched a new consultation by the Department for Business, Innovation & Skills. Vince Cable MP accepted that zero hours arrangements offered "welcome flexibility" for employers, which is

good news. However, companies could be barred from including exclusivity clauses, where zero hours workers are prevented from working for other employers, even if they cannot be offered work.

The government wants to ensure that people "get a fair deal" when operating under a zero hours contract arrangement. These types of contracts are recognised as being good for students or families with children and do have a genuine part to play in maintaining a flexible labour market, but employers will need to ensure that they are using this type of contract appropriately.

findoutmore

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