

Update

This Week in Employment Law

05-10-2020

Updated guidance on the Job Retention Bonus

The Government has updated guidance on the Job Retention Bonus, including who can and cannot claim it. We explore what employers need to know below:

- The Job Retention Bonus (JRB) is a one-off payment announced in July 2020 that means that employers will receive £1,000 for every furloughed worker they retain who meets certain qualifying criteria including a minimum level of earnings.
- The guidance highlights that employees must make their claim between 15 February and 31 March 2021.
- However, they cannot claim if they have returned all of the Job Retention Scheme grant for a particular employee.
- It has also been confirmed that the JRB cannot be claimed for any employee who is serving their notice period, including employees who are serving notice of retirement.
- In order for an employer to claim the JRB for employees, these employees have to earn at least £1560 (gross) throughout the November-December, December-January, and January-February tax months.
- Employees must also have at least one payment of taxable earnings in each of those months.
- Statutory Sick Pay and other statutory payments will count towards these earnings. However, the reduced pay can mean that the employee doesn't hit the minimum earnings criteria.
- More information on accessing the online claim service will be announced by the end of January 2021.

Businesses in Bolton to receive local lockdown grant

On 9 September, the Government announced that it would give financial support of up to £1,500 to employers who have been forced to close for three weeks due to local lockdown restrictions. When this initiative was first announced, a trial was limited to Blackburn with Darwen, Pendle, and Oldham; however, this has now extended to businesses in Bolton.

Did you know?

WhSince Saturday 3 October, the restrictions put on businesses in Bolton have been brought in line with the measures placed on the rest of Greater Manchester. This means that employers in the hospitality sector can resume table service subject to a 10pm curfew.

Glassdoor launches diversity and inclusion feature

Glassdoor, the company review platform, has launched its new diversity and inclusion feature in time for Black History Month. The aim, according to Glassdoor CEO, Christian Sutherland-Wong, is to increase 'transparency around diversity and inclusion' within businesses. Current or ex-employees of an organisation can now rate their workplace's diversity efforts.

Did you know?

A Censuswide survey shows that 72% of job seekers in the UK value diversity in the workplace when applying or accepting job offers. This is useful information for employers who face a hiring spike once the coronavirus impact begins to lessen over the coming years.

EAT rules on employment status – employee control

An Employment Appeal Tribunal (EAT) has held that a lack of control exerted over the claimant by the employer meant that he could not be an employee, and so could not claim unfair dismissal. The EAT stated that in order for there to be an implied overarching right of the control of an individual, clear evidence must be presented, which the claimant had failed to do.

Did you know?

Employment status is a question of fact for each employment tribunal to determine based on the particular case. The level of control the employer has over the individual continues to be a key factor in this decision.

Our 24-hour Advisory Service is on hand to help employers understand JRB eligibility criteria, including who can claim it, how, and when.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.