

# **SWINE FLU**

## Employment Law Implications

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# An opportunity to get ahead

- Advice not just relevant to swine flu situation
- Invest time now to stay legally compliant and to minimise disruption caused by absentee staff
- Ensure staff have been issued with terms and conditions



# Practical Steps which Manage Risk

- Review terms and conditions of employment
- Update staff details – including staff attendance records
- Carry out risk assessment
- Communicate advice to staff
  - hygiene
  - access to antiviral drugs
- Communicate expectations to staff
  - Home-working arrangements
  - Covering absentees

# Ensure You have the Power to Manage

## Suggested changes

- Introduce contractual power to require anyone infected to stay away from work
- Adjust/introduce flexible working policies to allow staff to care for dependants
- 48 hour week opt out?



# Some Changes will be Easier to Make

## Policy changes

- Not contractual unless specified
- Generally deal with procedural issues such as notification procedures
- More straightforward to implement
- Notify changes and keep a paper trail

## Contractual changes

- Relate to things such as sick pay
- Must consult before making changes
- Agree changes in advance
- Last resort – terminate existing contracts and issue new ones
  - probably safe if real business need for change

# Absence Requires Management

- Explain how absence will be managed
- Train managers to apply the policy and to understand:
  - The benefits of applying the policy and the dangers of failing to do so
  - The triggers for management and when and how to issue warnings
- There are particular difficulties in managing swine flu absence
  - On line/telephone diagnosis

# Summary

- Take practical steps to limit spread of swine flu
- Review terms and conditions and policies
- Communicate with staff and manage absence firmly

# Contact Details



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