

Managing Employees' Emotions when we go back to Work

My employer has requested that I can come back to work, can they ask me to do this?

Yes, your employer is under no obligation to furlough employees, they can request you return to work at any point during the furlough period. Your employer has a duty of care towards all employees and they will have to ensure that all their sites are practicing social distancing practices as reiterated by the government.

I don't feel comfortable about returning to work, can my employer make me return?

Your employer cannot make you return, if you have received a letter from the NHS advising you to remain home you should provide a copy of this to your employer and request you remain a furloughed employee. If you have a child of school age that is not at school you can request that you remain a furloughed employee to care for your child. If you simply do not want to return to work because you have anxieties, discuss these with your employer, they may be able to put your mind at rest, if after discussing with your employer you still do not want to return to work at the current time you will be unpaid for the period of time you remain absent.

I thought the government had instructed all businesses to close, why am I being asked to return to work?

The government have insisted some sectors of business close to try and prevent the spread of coronavirus, they however, have advised that businesses can continue to operate as long as they are following the social distancing obligations and are limiting the spread of coronavirus as much as possible.

I have symptoms of COVID-19 and I have been asked to return to work, what do I do?

If you think you are displaying symptoms of COVID-19 and you have been asked to return to work you should inform your employer you are not available for work and are either self-isolating for the required period and or following the guidance on testing, as you may be eligible to receive a test.

<https://www.gov.uk/guidance/coronavirus-covid-19-getting-tested#arrange-a-test>

Once you have completed your isolation period successfully or received test results, assuming you have been tested, you can inform your employer and either safely return to work or confirm you are still unavailable for work and state the reasons why.

I have a letter from the NHS advising me to remain at home, can my employer insist I return to work?

If you, or a member of your household has received a letter from the NHS you can continue to shield for the relevant period advised, you can request that you remain furloughed for this period of time. By receiving a letter from the NHS your condition means you are in the highly vulnerable group.

Highly vulnerable includes:

- Solid organ transplant recipients.
 - People with specific cancers:
 - people with cancer who are undergoing active chemotherapy
 - people with lung cancer who are undergoing radical radiotherapy
 - people with cancers of the blood or bone marrow such as leukemia, lymphoma or myeloma who are at any stage of treatment
 - people having immunotherapy or other continuing antibody treatments for cancer
 - people having other targeted cancer treatments which can affect the immune system, such as protein kinase inhibitors or PARP inhibitors
 - people who have had bone marrow or stem cell transplants in the last 6 months, or who are still taking immunosuppression drugs
- People with severe respiratory conditions including all cystic fibrosis, severe asthma and severe COPD.
- People with rare diseases and inborn errors of metabolism that significantly increase the risk of infections (such as SCID, homozygous sickle cell).
- People on immunosuppression therapies sufficient to significantly increase risk of infection.
- Women who are pregnant with significant heart disease, congenital or acquired.

I have a health condition which I believe puts me at high risk of coronavirus – can my employer insist I return to work?

There are some health conditions that fall into the vulnerable group but are not classed as highly vulnerable. Vulnerable employees are able to continue working, or their partner continuing to work, as long as they follow the social distancing guidance. Some people will need to undergo an additional health and safety risk assessment to ensure it is safe to continue to work in the same role/area, pregnancy will class an employee as vulnerable, and will be one of those areas where an additional risk assessment should be conducted.

Vulnerable includes:

- aged 70 or older (regardless of medical conditions)
- under 70 with an underlying health condition listed below (i.e. anyone instructed to get a flu jab as an adult each year on medical grounds):
- chronic (long-term) respiratory diseases, such as [asthma](#), [chronic obstructive pulmonary disease \(COPD\)](#), emphysema or [bronchitis](#)
- chronic heart disease, such as [heart failure](#)
- [chronic kidney disease](#)
- chronic liver disease, such as [hepatitis](#)
- chronic neurological conditions, such as [Parkinson's disease](#), [motor neurone disease](#), [multiple sclerosis \(MS\)](#), a learning disability or cerebral palsy
- [diabetes](#)
- problems with your spleen – for example, [sickle cell](#) disease or if you have had your spleen removed
- a weakened immune system as the result of conditions such as [HIV and AIDS](#), or medicines such as [steroid tablets](#) or [chemotherapy](#)
- being seriously overweight (a body mass index (BMI) of 40 or above)
- those who are pregnant