

Government Updates

Minister for Employment Affairs and Social Protection, Heather Humphries TD, has secured government approval to extend the suspension of redundancy provisions relating to temporary lay-off and short-time work, which arose as a result of COVID-19, until September 17, 2020. The Minister has also secured government approval for the extension of Covid-19 Enhanced Illness Benefit until March 31, 2021. Further information on the announcements can be found below.

Changes to the Redundancy Payment Act, 1967

Section 29 of the Emergency Measures in the Public Interest (Covid-19) Act 2020 temporarily reduced the scope of the operation of the Redundancy Payments Act 1967 by the addition of Section 12A to the Redundancy Payments Act.

The insertion of Section 12A temporarily suspended the provisions in the Redundancy Payments Act which permitted those on a period of layoff or short time, (for 4 weeks or more, or for 6 weeks in the last 13 weeks), to give notice of their intention to claim for redundancy from their employer.

This provision was then temporarily suspended for the duration of the emergency period which was provided in the Emergency Measures Act as *“the period beginning on 13 March 2020 and ending on 31 May 2020”*.

However, with the Emergency Measures Act allowing for the emergency period to be extended the Government had most recently extended the period until August 10, 2020 and now following the Minister’s announcement has again been extended until **September 17, 2020**.

It is important to note that the employee’s right to claim redundancy has not been removed but deferred for the emergency period in circumstances of temporary lay-off or short-time employment.

Covid-19 Enhanced Illness Benefit Payment

Employers should also be aware of the announcement relating to the extension of the Covid-19 Enhanced Illness Benefit Scheme. The Scheme, which was operational by virtue of an amendment to the Social Welfare legislation, provides for an enhanced payment of €350. The benefit of the enhanced scheme is that the ordinary requirement of a 6-day waiting period does not apply to those who are eligible for receipt.

To be eligible for the enhanced payment an employee must be:

- self-isolating on the instruction of a doctor or the HSE due to being a probable source of infection or diagnosed with COVID-19 (Coronavirus), and,
- absent from work and confined to their home or a medical facility.

The Covid-19 Enhanced Illness Benefit scheme was due to cease after August 10, 2020 but following yesterday's cabinet meeting this has now been extended until March 31, 2021.

Disclaimer – The information in this section is provided for reference purposes to assist employers with the government protocols and guidance and must be read in that context and should not be used for or interpreted as a legal definition of any of the information provided. Professional advice should always be sought before making any such decisions.

For further information or advice, please contact the designated HR & Employment Helpdesk at thewheelhrhelpdesk@adarehrm.ie or via telephone on (01) 5394661 Monday – Friday 9.00am- 5.00pm