

Now is the time to prepare for the safe return to the workplace

As September 20th approaches and following confirmation from Government that restrictions will soon be removed, employers within the not-for-profit sector can start putting their plans in place for the safe return to the workplace now that they have a definitive date.

In its announcement, the Government stated that any "*attendance at work for specific business requirements may commence on phased and staggered attendance basis*".

It was also confirmed that the Government will be revising and updating the **Work Safely Protocols** ahead of 20th September. However, employers should make sure that they are clear in their communication with employees about their intentions to return to the workplace and the timelines involved to avoid confusion or misunderstanding. If employers haven't already started this engagement with their employee, they would be advised to do so as soon as practical.

Due to the essential nature of their services, many organisations within the not-for-profit sector have been operating business as usual with employees who deliver the service attending on-site. However, this is not the case for all organisations, so it is therefore necessary to ensure that compliance with health and safety legislation as well as the current Work Safely Protocols remains to the fore.

Once the Work Safely Protocols are revised, organisations will need to re-assess their requirements, review their Safety Statement and potentially undertake any risk assessments as indicated in the revised documents. Needless to say, there are still other concerns that will need to be addressed, such as vaccine protocols, ventilation and physical office layouts.

In advance of a return to the workplace, we would remind employers of their obligations under the [Safety, Health and Welfare at Work Act](#) as well as the current Work Safely Protocols – which still apply until such time as they have been reviewed by the relevant statutory body.

Another point of interest from the government's announcement was An Tánaiste, Leo Varadkar's comment ***that employees must return to the workplace if their employer asks them to***. In line with contractual arrangements in place employees are bound by the terms and conditions of their employment. The obligation on employers is to ensure they provide the tasks as per the contract and employees carry those tasks out as per their employment contract. Currently there is no obligation for employers to provide any other working arrangements other than those outlined in the contract. Notwithstanding this and as part of the of the National Remote Work Strategy, legislation will be progressed to provide employees the right to request remote work. This follows a public consultation on the Right to Request Remote Work so it is anticipated that legislation will be constituted in the coming months.

If employers are considering implementing blended or hybrid working, now is the time to finalise policies and procedures and duly communicate same to employees. Assessing the organisations needs will be an essential foundation of this type of policy and one which will then be balanced with some flexible work arrangements to the benefit of both the employer and employee. Other considerations may be organisation specific but in the main should anticipate health & safety considerations, employee engagement, work practices, data protection and performance management.

While organisations seek to return to the workplace there remains a number of preparations to ensure the smooth transition and employers must act quickly to implement those plans in advance of their return due to the complexities that may present.