

LEGISLATION CHANGES FOR 2021

After a very turbulent year for many organisations, employers are best advised to be aware of forthcoming legislative developments for 2021. HR Team has compiled a dated list so as our clients and other employers can anticipate some of the confirmed and proposed developments in employment law that businesses need to be aware of.

Employment law changes to note for Ireland are as follows:

1. Employment Wage Subsidy Scheme

The Employment Wage Subsidy Scheme (EWSS), which provides financial support to organisations in sectors that have been affected by the pandemic, will run until March 31, 2021.

Employers should prepare for the next steps when they no longer have this support from the Government. Redundancies may have to be considered, however alternative options are recommended where possible.

2. Gender Pay Gap Reporting

A Bill introduced last year seeks to amend the Employment Equality Act 1998 to require certain employers to publish gender pay data for their employees.

So far and there has been no indication if or when it will become law. However, management teams should prepare for how they may have to compile this data.



2021

3. Statutory Sick Pay

Statutory sick pay may implemented before the end of this year. There is currently no legal obligation on employers to pay workers during periods of illness. Statutory sick pay introduces such an obligation on employers to pay an employee who is unable to work because of illness – although many employers do so voluntarily.

Where sick pay is not provided by an employer, the State pays Illness Benefit in certain circumstances.

INCREASED PRESSURE FOR EMPLOYERS WITH MINIMUM WAGE INCREASE

The National Minimum Wage increase will put employers under pressure, says leading human resources specialist Martina McAuley from HR Team.

The national minimum hourly rate became €10.20 on January 1, 2021. The full breakdown of the wage increase is as follows:



Ms McAuley, said: “While this is good news for low-paid workers, the budget increase will heap further pressure on employers throughout Ireland. The need to maintain increased outgoings across workforces is where employers may struggle – many of which are already facing difficult conditions post-Brexit and the unprecedented effects

of Covid-19.

Ms McAuley adds that the move raises concerns over increased costs to already under pressure businesses that, for certain industries, have had a dramatic reduction in revenue due to Covid-19 restrictions. Employers will “feel the pressure” as they navigate the repercussions from the fallout of the

pandemic, she explains.

“The increased minimum wage may force some employers to reduce employee’s working hours or result in lay-offs and redundancies.

“The increase will also be particularly difficult for small businesses which have no potential to pass on such cost increases,” she adds.

HOW TO IMPROVE 'PRODUCTIVITY DIPS' AND STAFF MOTIVATION IN JANUARY

Why is January such a difficult time for staff motivation? Beyond the winter blues, there is also the post-Christmas comedown after many employees have had time off. It can be hard to get back into the swing of things, causing a decrease in productivity as a result.



Employers may be faced with challenges to tackle these winter blues. Employers may experience a 'productivity dip'.

Particularly with this changing working environment, it is important to effectively manage teams in 2021 whether working from home, the office or both.

It is important now more than ever for employers and people managers to ensure that they have effective measures in place to ensure staff remain productive and motivated.



Reasons identified by HR Team for lack of motivation or underperformance:

- Lack of clarity on employer expectations.
- Unsuitable reporting structure or lack of clarity surrounding reporting structure.
- Ineffective communication or lack of communication.
- Lack of rewards, recognition for a job well done or other motivations.
- Insufficient feedback on performance.
- Outside influences which may be hampering performance.

METHODS TO MOTIVATE EMPLOYEES



1. Share your company vision for 2021

Communicating a clear vision and keeping your employees updated to your employees will make them feel included in the businesses wider vision – and how they can contribute to this. Transparency and open communication are key to maintaining a mutual trust and ensuring motivation levels are high for the year ahead.

2. Listen to your employees' feedback and input

Conduct surveys, ask for feedback or hold one-on-one discussions with employees to show they are a valued member of the team. This will ensure their views are being heard and that their needs are being taken into consideration. 89% of HR leaders agree that ongoing peer feedback and check-ins are key for successful outcomes.

3. Ensure employee wellbeing is monitored

With staff now working from both home and the office, employers and people managers are facing new difficulties. Whilst homeworking can generate many efficiencies, it can also lead to issues in relation to motivating teams, staff feeling isolated and worst-case scenario, staff mental health issues.

Concern for employees' wellbeing is a good way to demonstrate they matter, which in turn will contribute to an improved work ethic. Although it is vitally important to motivate your employees through the dreaded January blues, you should continue to engage with your employees through the rest of the year as well.



FORTHCOMING HR AND EMPLOYMENT LAW WEBINARS

HR Team has a number of free employment law and HR webinars planned throughout 2021.

Whether you have a specific HR question related to Covid-19 or you want to keep up with the ever-evolving developments, we invite you to join our experts as they discuss the key areas that are affecting employers right now.

Registration is free, and the list of upcoming webinars, along with a link to this month's webinar is below.

Thursday, February 25

Performance Management

Thursday, March 25

The Performance Appraisal

Thursday, April 29

Managing Sickness Absence

Thursday, May 27

The Disciplinary Process

Thursday, June 25

The Grievance Process

Thursday, September 23

Recruitment and Selection

Thursday, October 28

Managing Social Media in the Workplace

Thursday, November 25

Managing the Probationary Period

Thursday, December 16

Setting Employee Targets for the Year Ahead

Cost: Complimentary

Who should participate?

Line Managers, Supervisors/Team leaders, middle/senior managers, HR personnel and Business Owners.

For more information on forthcoming webinars, please email hello@hrteamgroup.com

REDUNDANCIES IMMINENT AS BUSINESSES MAY NOT REOPEN UNTIL THE END OF MARCH



Amid Ireland's third national lockdown, businesses are best advised to be prepared for the possibility that they may not reopen until the end of March, Tánaiste Leo Varadkar stated.

As case numbers continue to reach daily record highs, a leading HR advisor says many employers will be forced to make temporary lay-offs and even redundancies.

HR Team Director, Breda Cullen, said:

"Many businesses are now having to think on their feet to ensuring they survive through these ongoing turbulent times.

"Employers are having to consider repeat lay-offs while others are facing the prospect of redundancies, particularly in the hospitality industry. In other sectors, businesses have returned to working from home arrangements, which comes with its own challenges."

When the first lockdown was imposed in Ireland, just under half of the population (47%) had their employment situation affected – 14% having been made redundant and 33% temporarily laid off. Ms Cullen, has said HR Team is making a number of recommendations on how to implement the various options available to employers faced with very difficult decisions at this time.

HR TEAM RECOMMENDATIONS

Temporary Lay-Offs

"In normal circumstances, the law would dictate that employees should be given reasonable notice for a temporary lay-off situation. However, in this case, we would advise that employers endeavour to communicate clearly with their employees on the anticipated timeframes, as laid out by the government, and to follow this up with letters to staff. Temporary lay-off is without pay."

Possible redundancy

"Many employers are considering more severe and permanent measures such as redundancy. Whether it is a large scale redundancy or a small number of redundancies, there are some very important legal requirements to adhere to in order to reduce the risk; most notably that a consultation process is followed. "We would recommend that employers obtain specific legal advice on their own particular redundancy process, as there can be variables." Ms Cullen added.

Home working

"Many employers have been operating a home working arrangement for some months now. Almost one third (34%) of employees began working remotely by May 2020. Whilst homeworking has its benefits for both the employer and the employee, it can also have its challenges. "There is the potential for employees to become isolated or demotivated, and productivity can eventually suffer. We would recommend that communication is clear, regular and structured. In addition, a homeworking policy is absolutely pivotal to ensure employees are fully aware of their employer's expectations. Likewise, employees should be encouraged to switch off when they are not working, to prevent 'burn out'," Ms Cullen advised. She added: "As we enter unprecedented times in many aspects, employers must navigate the minefield of employment law to ensure legal obligations are adhered to – more so now than ever."

DO YOU HAVE AN EMPLOYMENT LAW QUESTION?

We help business start-ups, SMEs and large multinational organisations. Call to speak to us today on any aspect of employment law or strategic human resource services. Call from Ireland on 01 695 0749 or UK/NI 028 71 271 882.



If you require further information, please do not hesitate to contact HR Team.

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