

# COVID-19: Guidance for Legal Workplaces - 16 March 2020



This document has been published to guide legal firms, employers of solicitors and individual solicitors who may be either employees or self-employed. Guidance in this document reflects advice and instructions issued by Irish Government Departments during early March 2020.

## Workplace Implications

*[Source: Department of Employment Affairs and Social Protection website]*

Employers need to ensure the safety, health and welfare at work of their employees. This includes things like providing facilities, information and instructions to ensure that employees are safe in their workplaces. For example, employers should ensure that employees know what to do if they are diagnosed with a contagious illness like COVID-19.

Employees should make sure that they do not pose a threat to the health and welfare of others in their workplace. This means, for example, that they should not come to work if they have, or suspect they have, a contagious illness like COVID-19.

If employees need to stay at home because they are ill, they may be entitled to sick leave and pay – depending on the terms and conditions in their [contract of employment](#). However, there is no statutory entitlement to be paid while an employee is out on sick leave.

Similarly, if an employee cannot attend work because of precautionary measures taken in line with advice from the [HSE](#) or the [HPSC](#), they may not be entitled to pay or time off work.

The Government has asked all employers to support national public health objectives by paying employees who cannot attend work due to COVID-19 or associated self-isolation the difference between the new special illness benefit rate and their normal pay.

If employees cannot come to work, the Department of Employment Affairs and Social Protection (DEASP) have recommended that employers should be as flexible as possible and should explore options such as:

- compassionate leave
- allowing employees to work remotely
- allowing employees to 'work-up' any time taken at a future date
- allowing employees to avail of annual leave entitlements
- rearranging parental leave

The Government have advised that employers and employees should prepare for work to be done from home where possible. Where possible, it is recommended that there be a reduction of workplace contacts, implementation of remote working practices and teleconferencing. People should avoid travelling to meetings. Work times and break times should be staggered where possible.

Employers are being asked to increase communication to staff about COVID-19 and to ensure that there is adequate awareness about the ailment. Employers are also being asked to introduce policies that reduce social contact - such as:

- flexible hours
- staggering start times and break times
- teleworking arrangements
- using email and teleconferencing
- reducing face-to-face meetings and gatherings

If an employee develops 'flu-like' symptoms they should immediately be separated from others, instructed on respiratory etiquette and sent home (not using public transport, if possible). General Information on COVID-19 is available on the HSE website at <https://www2.hse.ie/coronavirus/>

## **Guidance for Solicitors dealing with the General Public**

*[Source: Health Protection Surveillance Centre leaflet]*

### **How can I protect myself from getting COVID-19?**

- Wash your hands frequently with soap and water or use an alcohol-based hand rub if your hands are not visibly dirty.
- Practice good respiratory hygiene i.e. when coughing and sneezing, cover your mouth and nose with flexed elbow or tissue – discard the tissue immediately into a closed bin and clean your hands with an alcohol-based hand rub or soap and water.
- Maintain social distancing i.e. leave at least 1 metre (3 feet) distance between yourself and other people, particularly those who are coughing, sneezing and will have a fever.
- Avoid touching your eyes, nose and mouth – if you touch your eyes, nose or mouth with your contaminated hands, you can transfer the virus from the surface to yourself.

### **My client/customer has recently travelled to Ireland from a country where there have been cases of COVID-19. Are there any precautions or actions that I need to take?**

Affected areas where COVID-19 is circulating in the community are available on [HSE.ie](https://www2.hse.ie/coronavirus/)

If your client/customer has returned from one of these countries and they are feeling unwell, they should have already visited the HSE website and made contact with the HSE helpline by phone for advice (Callsave: 1850 24 1850 or Phone: 041 6850300).

### **For a client/customer with no symptoms?**

There is no need for them to stay at home or to isolate themselves (i.e. remain separate from other people). If the person develops any symptoms within 14 days of returning from areas with presumed community transmission of COVID-19, the person should isolate themselves and then contact their GP/doctor straight away by phone for advice.

### **Do I need to wear a facemask to protect me from COVID-19?**

Facemasks are not recommended for people working with other in the community who are feeling well and do not have respiratory symptoms (e.g. cough, fever, shortness of breath). There is no evidence that using masks in this setting is of benefit to people who are not sick.

## **Remuneration and Income Loss**

*[Source: Department of Employment Affairs and Social Protection notice]*

A COVID-19 Pandemic Unemployment Payment has been established. The payment is available to all employees and self-employed people who have lost their income because of the COVID-19 outbreak.

The €203 payment will be available through a one-page application process on the Department of Social Protection website. There is no need for anyone to visit Intreo offices to access the payment. Workers who apply for the payment will be required to apply for normal Jobseeker's Benefit within six weeks if they have not been able to return to work.

However, the Government is urging businesses to continue paying their staff where possible. Employers are being asked to pay at least the Jobseekers rate, which they can then claim back from the Government. Minister Doherty has promised: "Where employers, who have to cease trading because of the impact of social distancing, continue to pay workers they will be able to claim refunds."

Other changes have also been made to the payment of Illness Benefit:

- Current 6-day waiting period for [Illness Benefit](#) will not apply to anyone who has contracted COVID-19 or is in medically-required self-isolation
- Personal rate of Illness Benefit will increase from €203 per week to €305 per week for a maximum of 2 weeks medically-required self-isolation or for the full duration of absence from work following a confirmed diagnosis of COVID-19
- Normal social insurance requirements for [Illness Benefit](#) will be changed and/or the means test for [Supplementary Welfare Allowance](#) will be removed

## **Access to Public Sector Services**

*[Source: checks made by staff of Law Society]*

Access to services is changing all the time but, at mid-day on Monday 16 March 2020, services commonly used by solicitors were operating as outlined below.

**The Courts Service** - The Courts Service has established a contingency planning group to meet the challenges caused by COVID-1. Any changes to schedules or cancellations will be posted on the Courts Services [website](#) and Courts Service [Twitter](#) account.

On Friday 13 March, the Courts Services released the following information:

- People summoned for jury duty to the Dublin Circuit Criminal Court and Central Criminal Court for weeks beginning the 16th and 23rd of March are not required to attend.
- Jurors currently serving on a trial are to continue to attend, as directed by the Judge.
- Central Criminal Courts will be sitting as normal.
- Special Criminal Court 1 is due to sit on Monday 16th March 2020 as normal.
- Circuit Criminal Courts will sit as normal with a staggered system for Court 5 if necessary
- District Criminal Courts will be sitting as normal, and are cognisant of the Direction from the President of the District Court in relation to appearances. Consulting with Judges in order to stagger lists where there is potential for more than 100 people to attend.

**Banks** - The banks are open for business and they are expected to continue so. However, many staff are not able to get into work and there are numerous other challenges arising. As a result, it may take longer than you would normally expect to progress matters with banks over the next few weeks and to finalise business matters with them.

**Companies Registration Office (CRO)** - The CRO will look at issues with filings due to COVID-19 on a case by case basis. No hand delivering; post signature pages instead. Further updates will be posted on the [CRO Twitter account](#).

**Revenue Commissioners (Revenue)** - The key message from Revenue is that businesses need to continue filing returns and to engage early with Revenue if they are facing difficulty in paying their taxes. All Revenue public offices, excluding ports, airports and trade facilitation stations, are closed to the public until further notice. Revenue will shortly be announcing further measures for businesses which will be available [here](#).

**Central Bank of Ireland** - The Central Bank of Ireland continues to closely monitor developments on the evolving situation. It continues to assess their impact on the economy and the financial system. A further update will be available in due course.

## Appendices

Appendix 1 - Business Continuity Planning Checklist Leaflet

Appendix 2 - Covid-19 Public Health Advice Poster



An Roinn Gnó,  
Fiontar agus Nuálaíochta  
Department of Business,  
Enterprise and Innovation

# **Business Continuity Planning**

## Checklist of preparatory actions in responding to COVID-19

February 2020

## Responding to a COVID-19 Outbreak

### BUSINESS CONTINUITY PLANNING CHECKLIST

The following is a checklist of some of the key risks to the continuity of your business activities during the outbreak of COVID-19 and of preparatory actions that can be taken to respond.

Many of the actions are the same as you would have prepared during any type of similar threat such as preparations for influenza pandemics. Your organisation should consider appointing a planning coordinator and/or team with defined responsibilities and budget for planning and for preparedness. A deputy should also be appointed.

If your organisation already has a business continuity planning process, you should consider addressing COVID-19 within that process. In relation to COVID-19, it is particularly important that your organisation uses the national resources, posters and guidance that are available and updated on a regular basis to reflect the rapidly emerging situation. The links to COVID-19 resources are available here for [employers](#), [FAQs and posters](#), and issues such as [prevention and control](#).

Information	Link
For Employers	<a href="http://www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/guidance/employersguidance/">www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/guidance/employersguidance/</a>
FAQs	<a href="http://www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/frequentlyaskedquestions/">www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/frequentlyaskedquestions/</a>
Posters	<a href="http://www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/posters/">www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/posters/</a>
Prevention and control	<a href="http://www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/guidance/infectionpreventionandcontrolguidance/">www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/guidance/infectionpreventionandcontrolguidance/</a>

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## Planning Activities

Not Started	Underway	Complete	
			1.1 Assign responsibility for planning and preparedness to a senior executive and a deputy
			1.2 Obtain information on COVID-19
			1.3 Consult within the company, with workers and worker representatives
			1.4 Consult with suppliers on measures they are taking and on potential disruptions to supply chains
			1.5 Assess 'high level' impact on your business and attach appropriate priority to the planning process
			1.6 Develop a business continuity plan
			1.7 Establish authorities, triggers and procedures for implementing plan
			1.8 Test the plan in exercises
			1.9 Share best practice with other businesses
			1.10 Revisit plan periodically

## Business Issues to Address

Not Started	Underway	Complete	
			2.1 Identify critical activities and the employees and inputs required to maintain them
			2.2 Consider the possible impact of employee absences
			2.3 Consider the possible impact of disruption to the supply of inputs from suppliers in Ireland and overseas suppliers
			2.4 Examine the likely impact of COVID-19 on your market and on your customers' requirements
			2.5 Identify and agree strategic imperatives
			2.6 Understand the business need for face-to-face meetings should there be community transmission of COVID-19 with a risk of person to person spread. Consider the potential for remote working.
			2.7 Establish authorities, triggers and procedures for implementing plan.
			2.8 Consider the issues for business related travel due to COVID-19
			2.9 Consider the financial management implications due to COVID-19
			2.10 Examine the extent to which others will be dependent on your business due to COVID-19
			2.11 Consider the circumstances under which you might decide to scale back or suspend operations due to COVID-19

## Measures to Underpin Continuity

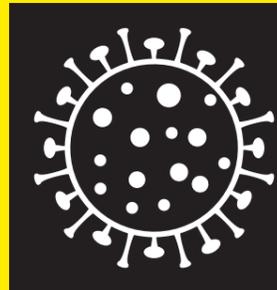
Not Started	Underway	Complete	
			3.1 Nominate deputies
			3.2 Cross-train, and identify alternative sources of labour
			3.3 Communicate with staff in a manner appropriate to the current state of COVID-19 phase as guided by national recommendations
			3.4 Prepare emergency communications plan
			3.5 Plan for increased take-up of employee welfare services
			3.6 Prepare policies on sick leave and compassionate leave due to COVID-19
			3.7 Prepare policies on foreign travel during COVID-19 event
			3.8 Plan for the needs of staff overseas
			3.9 Make arrangements to assure supplies during the COVID-19 event
			3.10 Consider the possibility of changes to your product, your service, or your interaction with customers, due to COVID-19, and plan for any changes you consider appropriate
			3.11 Review insurance coverage

## Responding to Workplace Risks due to COVID-19

Not Started	Underway	Complete	
			4.1 Prepare policies on hygienic behaviour for employees and visitors to premises as guided by national recommendations. Adhere to respiratory etiquette and hand hygiene policies.
			4.2 Plan to provide for hand washing, hand hygiene, tissue disposal and other facilities as per national recommendations
			4.3 Plan for frequent and effective cleaning of the workplace as per national recommendations
			4.4 Prepare policies as per national recommendations to advise those who are infected, or are suspected to be infected with COVID-19
			4.5 Plan measures to reduce face-to-face contact with customers / suppliers and between employees from different sites
			4.6 Identify work organisation measures that can be taken to reduce potential for employees who are in the workplace to infect each other
			4.7 Prepare policies on flexible work locations (e.g. teleworking) and flexible working times (e.g. shiftworking)
			4.8 Provide ICT infrastructure to support teleworking and remote customer interaction

Signed \_\_\_\_\_  
(Executive Responsible)

# Coronavirus COVID-19



Coronavirus  
**COVID-19**  
Public Health  
Advice

## The Facts

### Most at Risk

- Anyone who has been to an affected region in the last 14 days **AND** is experiencing symptoms
- Anyone who has been in close contact with a confirmed or probable case of COVID-19 (Coronavirus) in the last 14 days **AND** is experiencing symptoms

### Prevention



#### Wash

your hands well and often to avoid contamination



#### Cover

your mouth and nose with a tissue or sleeve when coughing or sneezing and discard used tissue



#### Avoid

touching eyes, nose, or mouth with unwashed hands



#### Clean

and disinfect frequently touched objects and surfaces

### Symptoms

> A Cough > Shortness of Breath > Breathing Difficulties > Fever (High Temperature)

### Affected Regions

Check the list of affected regions on [www.hse.ie](http://www.hse.ie)

### What to do if you are at risk

#### I've been to an affected region in the last 14 days and

##### I HAVE symptoms

1. Stay away from other people
2. Phone your GP without delay
3. If you do not have a GP  
Phone 112 or 999

##### I DO NOT HAVE symptoms

For advice visit [www.hse.ie](http://www.hse.ie)

#### I've been in close contact with a confirmed or probable case of COVID-19 (Coronavirus) in the last 14 days and

##### I HAVE symptoms

1. Stay away from other people
2. Phone your GP without delay
3. If you do not have a GP  
Phone 112 or 999

##### I DO NOT HAVE symptoms

For advice visit [www.hse.ie](http://www.hse.ie)

#### For Daily Updates Visit

[www.gov.ie/health-covid-19](http://www.gov.ie/health-covid-19)  
[www.hse.ie](http://www.hse.ie)