

National Fuel Shortage Guidance

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**Human
Resources**

Health
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Introduction

This guidance is designed to provide an overview and general advice about managing through the current national fuel shortages. However, it provides generic guidance and should not be used as a substitute to seeking specific advice from our Advice Line.

Employees who can't commute to work

For those employees who can't attend their normal place of work, there are a few options available to employers as follows:

- Alternative Transport to Work

Ultimately it is down to employees to ensure that they have the means to attend for work, as their commute to work is their own responsibility. If someone lives nearby to where they work, or public transport is still available, staff members should look at these alternative means of transport to work before they consider any of the other options below. If you feel that the employee has another way to get to work that they aren't reasonably making use of, and as a result don't attend for work, then this can become a disciplinary matter.

- Work from Home

If your employee has no other means of getting to work, then you can explore the possibility of them working from home, but just to be clear, no-one has an automatic right to work from home, it is down to the employee and the employer to agree if this is a viable alternative.

- Unpaid Leave

If the employee cannot use an alternative means of transport to attend work, and is unable to do their work from home, then consider agreeing a period of unpaid leave.

- Holiday

Alternative to unpaid leave, you can agree last minute annual leave, or if required, remember as an employer you can generally enforce annual leave by giving double the amount of notice (i.e. if you want to enforce 1 days' annual leave, you need to give at least 2 days' notice).

Employees who drive for their job

If your employee can't complete their duties because driving is an essential part of their role, whether that is they drive for a living such as a taxi driver, bus driver, delivery driver etc, or perhaps if they are required to drive in order to see customers or prospective customers, then understanding what your options are during this fuel shortage is important. There are a few options available in this situation, and these include as follows:

- Alternative Duties

If the employee cannot perform their normal duties because there is no fuel available, consider if you can assign them some other temporary duties that do not depend on the availability of fuel.

Most job description often contain a catch all at the end that require the employee to complete any other duties within their competence.

- Lay off / Short Time Working

If you have a contractual right to implement lay off or short time working, then this may be an option if there is no work to undertake because you cannot provide the fuel for staff members to perform their duties. If there are workless days involved then you will need to pay employees statutory guarantee pay for the first 5 workless days in a 13 week period. Please refer to our separate guidance on lay off and short time working for further details.

- Unpaid Leave

If the employee cannot perform alternative duties and you don't have a lay off or short time working clause, then you might want to consider agreeing a period of unpaid leave.

- Holiday

Alternative to unpaid leave, you can agree last minute annual leave, or if required, remember as an employer you can generally enforce annual leave by giving double the amount of notice (i.e. if you want to enforce 1 days' annual leave, you need to give at least 2 days' notice).

Further Advice

If you have any further questions about any aspect of this guidance, or more generally about coping during this fuel crisis, please call the Advice Line. In addition, we would also suggest that you contact us to discuss any specific circumstance to ensure that you can be provided with tailored advice specific to your individual circumstances.



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