Face Coverings Policy/Statement

Introduction

As part of the government’s program to protect individuals during the COVID-19 pandemic, a number of protective measures were either legally mandated or contained in guidance. This included the wearing of face coverings in certain settings, including some workplaces.

At the time of writing, restrictions are being eased and the official guidance in respect of face coverings is changing. We thought it necessary to set out our position at this time. This should be read in conjunction with our health and safety policies.

Company policy

The current official guidance for workplaces such as ours is [insert what the guidance states in respect of your workplace where you are. *[NOTE: This is different across the UK]*].

[EITHER:

The official government position is that face coverings are no longer required in our workplace. In any event, we have conducted our own risk assessment which confirms that face coverings are no longer required as a control measure and you do not have to wear one in the workplace if you do not want to. However, if you would rather continue wearing a face covering, then that is fine, although please note that if the wearing of a face covering affects your ability to carry out your role, you may be asked to remove it.

OR

Even though the official government position is that face coverings are no longer required in our workplace, we have conducted our own risk assessment which states that the wearing of face coverings is still a required control measure in order to protect you and others in the workplace. Therefore, you do have to wear a face covering [while working in the workplace at all times OR *set out situations where face coverings must be worn*], unless you are medically exempt from doing so. A refusal to wear a face covering without good reason may result in disciplinary action being taken against you.

If you are unable to wear a face covering because of health reasons, we will consider whether there are any adjustments that could be made to your role, for example allowing you to work from home while the face covering requirement remains in place and/or you remain unable to meet that requirement. If there are no such adjustments available, and you are unable to work as a result of this requirement, then any time away from work [will be treated as sick leave, for which you will receive [statutory sick pay (SSP) OR company sick pay pursuant to our sick pay policy OR will be treated as a health and safety suspension, for which you will receive full pay].] *[NOTE: There is some uncertainty regarding how this type of absence should be treated. It is arguable that if the employee’s health is the reason why they cannot comply with a necessary health and safety requirement, then you can treat them as being sick and limit pay to SSP / contractual sick pay. However, there is also an argument that you may be suspending them on health and safety grounds, in which case they will be entitled to full pay. We believe there is a reasonable argument for using the sickness option. However, this is untested in the Tribunals, and if you want to be completely safe, then go down the full pay route, although bear in mind that it may not be clear for how long this requirement will be in place.]*

OR

Since the official government position is that face coverings [should OR must] continue to be worn in our workplace, this requirement will continue until further notice. Therefore, you must wear a face covering [at all times OR *set out situations where face coverings must be worn*], unless you are medically exempt from doing so. A refusal to wear a face covering without good reason may result in disciplinary action being taken against you.

If you are unable to wear a face covering because of health reasons, we will consider whether there are any adjustments that could be made to your role, for example allowing you to work from home while the face covering requirement remains in place and/or you remain unable to meet that requirement. If there are no such adjustments available, and you are unable to work as a result of this requirement, then any time away from work [will be treated as sick leave, for which you will receive [SSP OR company sick pay pursuant to our sick pay policy OR will be treated as a health and safety suspension, for which you will receive full pay]. *NOTE: There is some uncertainty regarding how this type of absence should be treated. It is arguable that if the employee’s health is the reason why they cannot comply with a necessary health and safety requirement, then you can treat them as being sick and limit pay to SSP / contractual sick pay. However, there is also an argument that you may be suspending them on health and safety grounds, in which case they will be entitled to full pay. We believe there is a reasonable argument for using the sickness option. However, this is untested in the Tribunals, and if you want to be completely safe, then go down the full pay route, although bear in mind that it may not be clear for how long this requirement will be in place.]*]

Please contact [NAME] if you would like to view a copy of the risk assessment. This will be monitored and is subject to change.

Harassment

*If you are not requiring face covering be worn:*

Just because we are not requiring face coverings to be worn in the workplace does not mean individuals cannot choose to do so. There may be a number of personal reasons as to why someone might wish to continue wearing a face covering and that decision should be respected. Any harassment of anyone around their decision to wear a face covering, or not, will not be tolerated and will lead to disciplinary action. If you have any concerns, please speak to [NAME].

*If you are requiring face coverings be worn:*

It is important to remember that if someone is not wearing a face covering in the workplace, they may have personal reasons for doing so. Any harassment of someone wearing or not wearing a face covering will not be tolerated and will lead to disciplinary action. If you have any concerns, please speak to [NAME].