



# Park City

HUMAN RESOURCES  
HEALTH & SAFETY  
TRAINING & DEVELOPMENT

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## **Don't get in a 'lava' over absence due to cancelled flights!**

As we are all aware, the cloud of volcanic dust following the Eyjafjallojoekull eruption in Iceland has caused enormous problems with regard to air travel to and from the UK and many employers are experiencing issues whereby employees are unable to return home and back to work following their Easter breaks abroad.

There are a number of options to consider with regard to stranded employees and their inability to attend work and a sympathetic pragmatic approach is encouraged whereby employees should be encouraged to keep their employers updated as to their travel progress. Be flexible in your approach to these staff issues. Whilst there is no statutory obligation on the employer to pay for the absence, organisations are strongly encouraged to consider the following:

- Look at the terms and conditions of the person's employment alongside any Company policies and verify how the Company might normally treat these absences with regard to pay.
- Think about how you may have treated similar circumstances in the past where employees have been unable to return to work following a break where flights may have been cancelled etc.
- Consider permitting the employee to use their annual leave entitlement to cover the additional days of absence.
- Consider the option of allowing the employee to work back all or part of the time that they have lost upon their return and within a certain timeframe.
- You may wish to implement some form of discretionary payment but care must be taken to state that such a payment does not form a precedent for any future absence.

- If the impact on business is more widespread, businesses may wish to consider implementing short time working or lay off clauses where there is a contractual right to do so.

Remember that if return to the UK causes disruption in Schools and other businesses, parents may not be able to make swift arrangements for the care of their children. As such there may be an upturn in the number of employees taking unpaid time off under the 'Time Off for Dependents' policies and legislation.

Finally, if you are using other employees to work overtime to cover the absence for an employee stranded abroad, do ensure that the appropriate overtime rates are paid in accordance with any contractual provisions.

If you have any questions in this regard or any other employment law issue, please contact your personal consultant on 01206 752100. Remember, as a Park City client, if you have an urgent Health & Safety or employment law issue, you can call us whenever and wherever you require, 24 hours a day.

Kind regards

**Juliet Price**

**Managing Director & Chairman IoD Essex Branch**

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