

Conditionality requirements when temporarily laid off from work

Background

A claimant who has their working hours reduced, or is asked to voluntarily reduce their hours because of temporary adverse industrial conditions such as:

- bad weather
- fire or flood
- lack of materials or orders
- disputes trade or lay-offs elsewhere
- pandemic (for example, Covid-19)

(list not exhaustive) can claim, and may be eligible for Universal Credit and/or New Style Jobseeker's Allowance, if they meet the conditions of entitlement.

Effect on Labour Market conditionality

The claimant should be placed in the Labour Market regime most appropriate to their circumstances. For most claimants able to work with no restrictions, this will be the All Work Related Requirements regime. However, because of their temporary circumstances, it may be unreasonable to place any work search requirements on them although they must be able and willing to return to their employment as soon as it becomes available again.

Work coaches must review each claimant's circumstances and use their judgement in deciding whether work search requirements should be switched off under UC Regulation 99(5)(b) or JSA Regulations 2013 Regulation 16(4)(b) or whether tailored and appropriate requirements should be put in place.

The imposition of work search requirements may be appropriate in situations where there is no guarantee the claimant will have a job to go back to, or if the temporary stoppage of work lasts longer than one month.

However, imposition of work search requirements may be inappropriate in scenarios where the temporary adverse conditions have wider impacts on a claimant's ability to undertake work preparation activities - such as during a pandemic.

The claimant must still agree a Claimant Commitment which, along with any work related requirements, must contain an undertaking from the claimant to report any income received from their employment, and to notify a change of circumstances within five days:

- of returning to their employment, or
- if a return to that employment is no longer possible.

For New Style Jobseeker's Allowance, a claimant must report any income from employment.

For Universal Credit, a claimant must report income from employment if their employer does not do so via Real Time Information.