

Conditionality requirements when temporarily laid off from work: Guidance

Contents

Background
Effect on Labour Market conditionality

Background

A claimant who has their working hours reduced or is asked to voluntarily reduce their hours because of temporary adverse industrial conditions, may be eligible for Universal Credit and/or New Style Jobseeker's Allowance if they meet the conditions of entitlement. Examples of adverse industrial conditions are:

- bad weather
- fire or flood
- lack of materials or orders
- trade disputes or lay-offs which occur elsewhere
- pandemic

This list not exhaustive.

Effect on Labour Market conditionality

The claimant must be placed in the Labour Market regime most appropriate to their circumstances. For most claimants who are able to work without restrictions, this will be the All Work Related Requirements regime.

Because the circumstances are temporary, it may be unreasonable to impose any work search requirements. However, the claimant must be able and willing to return to their employment as soon the adverse industrial conditions no longer apply.

Work coaches must review each claimant's circumstances and use their discretion 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 that the claimant will have a job to go back to
- the temporary stoppage of work lasts longer than 1 month

Imposition of work search requirements may be inappropriate in circumstances where the temporary adverse conditions have wider impacts on the claimant's ability to undertake work or work search activities (for example, during a pandemic).

The claimant must still agree a Claimant Commitment which, along with any work-related requirements, must include an undertaking to report any income received from their employment and to notify a change of circumstances within 5 days:

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

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

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