Anna and Thomas from Poland

These two clients approached us because their employer demanded them to take Covid-19 test even though they did not suffer from Covid-19 and were not symptomatic. Employer demanded that they stay off work for 14 days due to other staff members staff being diagnosed with the coronavirus. For this reason, their employer wanted them to take 14 days' unpaid leave. First, we booked a coronavirus test for both clients and we also sent an email to their manager quoting the law, which says that forced unpaid leave isn't possible. We explained it to the employer that as an employer, they must provide their members of staff with adequate notice. As employers, they are in the position to enforce paid annual leave - but not unpaid leave, that is unless they want to lay off staff, which in this instance was not the case. We have reiterated it to the employer that forced unpaid leave was not possible and that their employees didn't have to agree with their request or rather an order. And that they could make a claim for unlawful wage deduction if they went ahead with their plans. Obviously, during coronavirus, employers may want to force employees into leave with no pay. If that was not the case the case, we reassured the clients to keep in mind the UK government's Job Retention Scheme, which was there to provide a financial helping hand. We informed the employer that they could furlough their staff, who would then receive 80% of their monthly income. So, eventually we asked them to consider this over forcing them into unpaid leave with no pay. After a couple of days and upon received negative test results the employer invited the clients back to work and paid them for days of absence from work. This case was consequently closed and the employer were brought back to work. This was a successful case.