

## Disruption getting to work

### 1 . Travel, weather and other issues

It's usually the responsibility of employees to get to and from work.

However, sometimes something beyond an employee's control can affect them getting to work. For example:

- travel disruption – for example because of train strikes or extreme weather
- disruption to childcare arrangements – for example schools closing during teacher strikes

### What staff can do if they cannot get to work

If someone cannot get to work or is delayed, they should contact their employer as soon as they can.

The employer should talk through their options and make clear if their [pay will be affected](#).

The employer and employee should make sure they have each other's contact details and stay in contact.

Depending on their job, the employee could check if:

- they have what they need to be able to work from home, if this is an option
- there are any other ways to travel to work, if there's disruption to their usual transport
- their clients or customers understand the situation, if they'll be affected
- any urgent work needs covering
- they can make other care arrangements for children or dependants

### Other arrangements employers could agree with staff

When disruption makes getting to work difficult or impossible, employers and staff should be as flexible as they can.

Employers have a 'duty of care' for the health and safety of all staff. This means they should not encourage staff to travel when it's not safe. For example, where heavy snow or ice means people are told not to travel by car or public transport except for emergencies.

The employer could allow staff to:

- come in later that day if the disruption is expected to stop – for example if weather is due to improve
- work flexible hours so they can make up any lost working time
- work from home
- temporarily adjust a hybrid working agreement – for example swapping which days someone works from home
- swap shifts with those who can get in more easily
- change duties temporarily to those that can still be carried out

When agreeing other options for work with staff, employers should:

- take into account individual circumstances, for example if someone has a health condition they might need adjustments for working in a different way
- keep in communication
- be consistent in how they treat everyone and explain any decisions

## Using holiday

An employer can ask if employees would like to take holiday if they are unable to get to work due to disruption.

An employer can also tell employees that they must take holiday. This might be an option if they know about the disruption in advance, or it's likely to go on for a long time. The employer must give twice as much notice as the amount of holiday they want employees to take.

For example, if they want employees to take 1 day of holiday when there's disruption, they must give them 2 days' notice.

An employee might prefer to take paid holiday, if they do not get paid during disruption.

There might be circumstances where it's not possible for an employee to take holiday. For example, where they have already used up their annual leave for that year.

As alternatives in this situation, the employer could:

- allow the employee to borrow holiday from their entitlement for the following year – this is only an option if the employee's contract gives them more than the statutory 5.6 weeks holiday
- give the employee the time off as additional unpaid leave
- ask the employee to make up the time later
- ask the employee to swap shifts with someone else or swap any non-working days

## If an employee needs time off to help someone else

If an employee has an emergency situation where they need to help someone who depends on them, they have the right to take 'time off for dependants'.

Emergency situations could include when:

- an employee's child's school has closed for the day so they need look after them at home
- usual care arrangements for an employee's dependant are cancelled so they need to arrange an alternative – for example if a dependant's carers cannot get to them

[Find out more about time off for dependants](#)

## If extreme weather affects someone who has to drive for their job

Employers should plan for when extreme weather affects staff who drive for their job, for example delivery drivers or travelling salespersons.

The employer should:

- speak with them about other options for working
- get advice from any employee or trade union health and safety representative they have
- follow local travel advice

- do a risk assessment to decide if it's safe for the person to do their job and whether there are any risks they can reduce or remove

The employer should see if they can make any other arrangements, depending on the work. For example:

- changing delivery expectations to allow for safer but longer routes, longer breaks or missed driving days
- arranging for staff to work from home and hold sales meetings remotely

If it's not safe for someone to work and there are no suitable alternatives, their entitlement to [pay will depend on the terms of their contract](#).

## Contact the Acas helpline

If you have questions about when disruption affects staff getting to work, [contact the Acas helpline](#).

## 2. Pay

Some employers might offer pay when an employee cannot get to work due to disruption. If they do, they should make this clear in their employees' contracts.

If there's nothing in the contract about pay in these circumstances, an employer does not have to pay an employee. This is because the employee is not fulfilling their contract of employment.

However, employers should consider the benefits of paying employees when disruption causes problems getting to work. For example, it could improve staff morale and help retain employees.

## Pay when an employer temporarily closes the workplace

If employees were ready, willing and able to work for the day or shift, they're usually entitled to their normal pay if their employer:

- chooses to fully or partly close the workplace for a time
- tells them to work fewer hours

Some contracts might allow employers to 'lay off' some staff or put them on short-time working. This means staff temporarily do not work. It must be completely clear in the contract when and how these circumstances apply.

[Find out more about lay-offs and short-time working](#)

## If employer-provided transport is cancelled

An employer might cancel transport they provide for employees when there's travel disruption.

If the contract says the employee is not entitled to pay in these circumstances, the employer does not have to pay them.

Otherwise employees are entitled to their usual pay, as long as they were ready, willing and able to work.

If the contract states there's no entitlement to pay when employer-provided transport is cancelled, an employer can decide to make a discretionary arrangement to pay employees.

With discretionary arrangements, the employer should:

- treat staff fairly and consistently
- make clear in writing that it's a discretionary arrangement and does not apply to future similar circumstances

## Contact the Acas helpline

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## 3. Planning for disruption

Employers and employees should plan for disruption to reduce any effect on their work.

### How employers should plan for disruption

Employers should have a policy that says what they and their staff should do when disruption causes problems getting to work.

A policy should make clear when it applies. For example, during major widespread disruption and not minor travel delays.

A policy should include how the employer will:

- keep in contact with staff
- arrange cover for any emergency or necessary work
- arrange for [hybrid working](#) or staff to work from home, if this is an option
- send messages and warnings to customers to set expectations where necessary
- help staff plan safe travel to work, if this is an option

It should also include:

- who staff should contact, for example a line manager or nominated person
- how staff should stay in contact with work
- arrangements for other places or ways staff can work, for example at another workplace, doing different duties or hybrid working
- what happens to an employee's pay if they cannot get to work due to disruption
- what happens if the employer has to close the workplace or cancel transport
- how and when an employer will do a risk assessment

### How employees should prepare for disruption

Employees might know in advance about disruption that would affect them getting to work. For example, if a strike is announced in advance.

In these circumstances, employees should try to make alternative arrangements as early as possible. For example:

- find a different way to get to work
- make other childcare arrangements if their child's school is closing

Employees should also speak to their employer about what they can do to limit the disruption to their work. For example, they could:

- arrange to work from home
- swap shifts with someone else
- rearrange deadlines or plan cover for urgent tasks