

**Coronavirus Job Retention Scheme update: Good news for sales staff earning regular commission**

The government has published an update on its Coronavirus Job Retention Scheme, clarifying the fact that workers who earn regular commissions or bonuses can have this income included in their furloughed pay calculations.

This means that employers will be able to claim for any regular, non-discretionary payments that they are obliged to pay to their staff – including overtime, commissions and bonuses. Under the scheme, firms can furlough employees and apply for a grant that covers 80% of their usual monthly wage costs, up to £2,500 a month, plus the associated Employer National Insurance contributions and minimum automatic enrolment employer pension contributions on that wage.

The key test for including any bonuses and commissions is that the payments are intrinsically linked to the job the person is employed to perform, and that they are paid regularly. Sales staff that are paid bonuses or commissions in each pay period meet this test.

Discretionary bonuses and bonuses are not included.

The updated guidance also tells employers how to claim for employees whose pay varies.

If the employee has been employed for 12 months or more, you can claim the highest of either the:

- same month's earning from the previous year
- average monthly earnings for the 2019-2020 tax year

If the employee has been employed for less than 12 months, you can claim for 80% of their average monthly earnings since they started work.

If the employee only started in February 2020, you should work out a pro-rata figure for their earnings so far and claim for 80%.

The updated guidance on the Job Retention Scheme can be found [here](#).

### **Vehicle collection and distribution IS permitted during the COVID-19 lockdown**

The collection and distribution of vehicles can continue during the current lockdown, if it is done in accordance with current Coronavirus/COVID-19 precautions.

The Department for Transport has now produced two separate letters confirming that vehicles can be collected and distributed, whether it is done in providing [vehicle rental services](#) or as part of the wider [logistics supply chain](#).

To support this activity, the BVRLA has collaborated with the SMMT and FLA in producing guidance and best practice advice on how these movements should happen. It includes:

- Social distancing and staff protection measures
- Insurance
- Communication with customers
- Risk assessments

The guidance will be updated as the situation changes and can be found on the [BVRLA COVID-19 advice pages](#).

### **BVRLA COVID-19 webinar**

The BVRLA will be hosting a [COVID-19 Catch-up webinar](#) on Wednesday 8 April at 10am.

On this 45-minute webinar the BVRLA team will provide a recap on some of the operational and financial support that has already been provided to the vehicle rental and leasing sector and highlight the issues that we are still focusing on.

If you have any questions that you would like to put to the team, please let us know in advance so that we can be sure of answering them. You can do this by emailing [legal@bvrla.co.uk](mailto:legal@bvrla.co.uk)

### **Update on Coronavirus Statutory Sick Pay Rebate Scheme**

The government has provided more details of its [Coronavirus \(COVID-19\) Statutory Sick Pay Rebate Scheme](#), which allows small and medium sized employers, with fewer than 250 employees, to apply to HMRC to recover the costs of paying Statutory Sick Pay to their employees.

The Coronavirus Statutory Sick Pay Rebate Scheme is not available yet. When launched, it will run online and will repay employers the current rate of [SSP that they pay to current or former employees for periods of sickness starting on or after 13 March 2020](#).

The repayment will cover up to 2 weeks starting from the first day of sickness, if an employee is unable to work because they either:

- have Coronavirus
- cannot work because they are self-isolating at home

Employees do not have to give you a doctor's fit note for you to make a claim.