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STATUTORY INSTRUMENTS

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**2020 No. 814**

The Employment Rights Act 1996 (Coronavirus,  
Calculation of a Week's Pay) Regulations 2020

PART 2

Calculation of a week's pay

**Normal working hours and remuneration does not vary with the amount of work done**

4.—(1) This regulation applies where E's remuneration fell within the description in section 221(2) of the Act (remuneration for employment in normal working hours which does not vary with the amount of work done) on the relevant date.

(2) The amount of a week's pay is the amount which is payable by the employer under E's contract of employment in force on the calculation date if E works throughout E's normal working hours in a week, and for these purposes—

- (a) E's normal working hours, in relation to any period during which E is furloughed, include E's furloughed hours, and
  - (b) the amount which is payable, in relation to any period during which E is furloughed, is to be calculated disregarding any reduction in the amount payable as a result of E being furloughed.
- (3) This regulation is subject to regulations 6, 9 and 10.