

Redundancy

Young Workers Legal Service

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A 'redundancy' happens when a job is no longer required to be done. A job can disappear when an employer changes the way it operates, becomes smaller, goes bankrupt, or moves elsewhere.

Your right to Redundancy Pay

If you lose your job because it is made redundant, and:

- You are a permanent (not casual) employee
- You are not an apprentice or a trainee
- You are not employed on a fixed-term contract
- You have worked for your employer for more than one year
- Your employer has more than 15 employees

It is likely that you have a right to receive Redundancy Pay, in addition to Notice or Payment in Lieu of Notice of the termination of your employment.

How much Redundancy Pay you should receive is determined by how long you have worked for your employer. In general, the longer a worker has been employed, the more Redundancy Pay he or she will be entitled to.

If your job has been made redundant and you suspect that you are owed Redundancy Pay, you can lodge a Workplace Complaint with the Fair Work Ombudsman (FWO) within 6 years of the termination of your employment. For more information, see our Underpayment Factsheet, contact us on (08) 8279 2233, or contact the FWO on 13 13 94.

Your right to redeployment

'Redeployment' means being transferred to a new role within the same organisation. If your job is made redundant, your employer should try to redeploy you, if this is a reasonable option. Redeployment is more likely to be a reasonable option for large employers with lots of jobs and workers.

In some cases, being redeployed can vary the amount of redundancy pay the employee is entitled to.

Your right to be consulted

Most Australian workers have a right to be consulted about planned, major changes to their workplace.

Workers have a right to be notified about planned or possible redundancies in their workplace. They should generally be provided with written information about the changes being considered in their workplace.

Redundancy and Unfair Dismissal

If you lose your job because it is made redundant, and your employer does not consult you about the loss of your position, or, if your position has been made redundant and you have not been redeployed but feel as though you reasonably could have been, you may have the right to make an Unfair Dismissal Claim. Unfair Dismissal Claims must be made within 14 days of the termination of your employment. For more information about Unfair Dismissal, please refer to our Unfair Dismissal Factsheet, contact us on 8279 2233, or contact Fair Work Australia on 1300 799 675 immediately.

This material has been funded by the Australian Government through a Fair Work Ombudsman initiative to produce educative materials on the Fair Work Act 2009.

The Fair Work Ombudsman (FWO) is committed to providing useful, reliable information to help you understand your rights and obligations under workplace laws.

The information contained in this publication within the FWO's jurisdiction as set out in the Fair Work Act 2009 is:

- *general in nature and may not deal with all aspects of the law that are relevant to your specific situation; and*
- *not legal advice.*

Therefore, you may wish to seek independent professional advice to ensure all the factors relevant to your circumstances have been properly considered.

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