

# REDUNDANCY

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Advantage Partnership Lawyers

## How to prove a genuine redundancy

- Step 1: Prove that due to operational changes, your business no longer requires anyone to perform the employee's role
- Step 2: Prove that you have complied with your obligations to consult with the employee.

### If you do intend to make changes likely to result in redundancy, you must do the following as soon as possible:

- Provide (in writing) to the employees concerned all relevant information about the changes including:
  - The nature of the changes proposed;
  - The expected effects of the changes on employees; and
  - Any other matters likely to affect employees (although you are not required to disclose confidential information, the disclosure of which would be contrary to your interests)
- Discuss with the affected employees (and their representatives):
  - The introduction of the changes;
  - Effects the changes are likely to have on employees; and
  - Measures to avert or mitigate the adverse effects of such changes on employees.
- Give prompt consideration to matters raised by the employees (and their representatives) in relation to the changes.
- Step 3: Prove that it would not be reasonable to redeploy the employee within your business or an associated entity.

## Calculating an entitlement to redundancy pay

Period of Continuous Service	Redundancy Pay
Less than 1 year	Nil
1 year and less than 2 years	4 weeks' pay
2 years and less than 3 years	6 weeks' pay
3 years and less than 4 years	7 weeks' pay
4 years and less than 5 years	8 weeks' pay
5 years and less than 6 years	10 weeks' pay
6 years and less than 7 years	11 weeks' pay
7 years and less than 8 years	13 weeks' pay
8 years and less than 9 years	14 weeks' pay
9 years and less than 10 years	16 weeks' pay
10 years and over	12 weeks' pay

\*The lower amount of redundancy pay after 10 years of continuous service has its basis in the fact that employees with more than 10 years' service generally have long service leave entitlements as well.



## ADVANTAGE PARTNERSHIP LAWYERS

Suite 2, Level 9, Dymocks Building  
428 George Street, Sydney NSW 2000

P 02 9221 7555

F 02 9221 7230

[legal.one@advantagepartnership.net](mailto:legal.one@advantagepartnership.net)