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Jan

## Redundancy Law <sup>[1]</sup>

Have you been made Redundant or are facing Redundancy? Know your Rights



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<sup>[2]</sup>

## What is Redundancy?

Redundancy is when an employer dismisses an employee from their job as result of the employer needing to reduce the workforce.

Redundancies can arise for various reasons including:

- The closure of a business
- Changes within the business leading to a reduction in work
- New technologies making a job unnecessary
- The need for a business to cut costs

## Statutory Redundancy Pay

- If you are made redundant, then as long as you have been working for the company for at least two years, you will be entitled to a statutory redundancy payment from your employer.
- If your employer has a redundancy scheme in place, they have to honor this as well as the statutory entitlement.
- If the statutory redundancy payment is not made to you then you can submit a claim to the Employment Tribunal within 6 Months minus one day from the date the payment was due.

## Redundancy Procedure / Notice

As an employee, you are entitled to a forewarning about possible redundancies and your employer must work to a set criterion when deciding whom to make redundant.

## Redundancy Selection

When deciding whom to make redundant your employer should be objective and fair in their selection of employees. This means that they should not simply choose employees to make redundant without evidence.

## Making a Claim for Unfair Redundancy Dismissal

You may be able to claim for unfair dismissal to an Employment Tribunal if you feel that your employers decision to make you redundant was:

- Unjustified
- Not carried out in a fair manner
- Carried out with inadequate consultation
- Carried out with no consideration of alternative employment

To make a claim for unfair redundancy dismissal you:

- Need to have at least two year's continuous service\*
- Need to submit the claim to an Employment Tribunal **within 3 months minus one day** from the dismissal date.

\*The service period that has to be gained in order to be able to claim unfair dismissal increased from one year to two years on 6th April 2012. Any employee commencing employment on or after that date will have to work for their employer for two years continuously before they will have the right to claim. Any employee already in employment before 6th April 2012 will only need to obtain one year's service to claim.

For information on redundancy and claims for unfair dismissal, talk to our award winning Employment Law Team today on 0121 746 3360 or [contact us](#) <sup>[2]</sup> online.

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### Links

[1] <https://www.sydneyMitchell.co.uk/services-individuals/employment-law/dismissal/redundancy-law>

[2] <https://www.sydneyMitchell.co.uk/contact>