

Your employer needs to ensure that the redundancy is genuine, effective or permanent. Any employer who fails to follow the correct process may be liable for unfair dismissal. It is important to consider the relevant award or enterprise agreement. Many businesses are making employees redundant during the

- Working less hours each week or reducing your pay. Any such reduction must be agreed by you and your employer. Your wage cannot be reduced below the rate in your modern award or enterprise agreement, or the national minimum wage;
- Taking paid or unpaid leave;
- If the business is closing down, standing you down. This means you stop working during the COVID-19 period but you will return to work when the business re-opens;
- If they are an eligible business, applying for the JobKeeper subsidy.

Redundancy should be the last resort for employers who have considered these options. The Fair Work Commission has advised employees fired on the spot for non-genuine reasons due to the employer wanting to avoid paying redundancy entitlements. If you think this has happened to you, you have 21 days to file a claim with the Fair Work Commission.

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Mcah was working in an Italian restaurant as a waiter in Surry Hills. Restaurants were forced to shut because of COVID-19 restrictions and Mcah's manager told him he had to make Mcah redundant as there was no position for him as a waiter anymore. At the time there was talk about JobKeeper or JobSeeker but Mcah

