Redundancy
– know your rights

This briefing is not intended to cover the full law on redundancy but to give you some brief advice on your rights in a potential redundancy situation. If you wish to see a more detailed briefing on redundancy, the legal position and what it all means then please go to the AUT website on: http://www.aut.org.uk/index.cfm?articleid=425

Consultation:

You have a right to be consulted if your post is under threat. This consultation should give you the opportunity to think about the situation and to seek advice. You should seek immediate help and support for any consultation meeting:

1. If you are called to a meeting with your manager to discuss the loss of your post, make sure that you get trade union representation.
2. If you attend a meeting and discover at that point that you are being told that your post is going to be lost, then ask to suspend the meeting until you have trade union representation.
3. If your line manager denies you the right of trade union representation then contact us immediately and we will object on your behalf and raise this with senior management.

Selection:

If your post is selected to be cut then it does not automatically follow that you will be out of work. Redundancy law is based on the principle that an employer should do everything possible to avoid losing jobs. It is also based on the fact that if a post is cut it is not necessarily the person in the post who is made redundant. Employers are required to identify a pool of people from whom a selection for redundancy can be made, and then they should then use clear selection criteria to identify who will be made redundant. They should only do this at the last possible stage, when they have exhausted all other ways of preventing job losses.

The trades unions will be seeking information on this as a matter of urgency and will keep you informed of discussions; however you are also entitled to seek that information yourself. If you are informed that your post is to be lost as part of the University “savings” then seek the following information:

1. How many posts are being lost?
2. What process is there of redeployment?
3. What other efforts are being made to mitigate against the redundancy?
4. Who will be in the selection pool?
5. What selection criteria will be used?
6. How have these been agreed?

Voluntary Redundancy/Early Retirement (VR/ER)

The Employer can use VR/ER as a way of avoiding making compulsory redundancies. We understand that in some instances this can be a preferable option for individuals. If you wish to explore this option then please let us know and we will help assist you in achieving that aim.