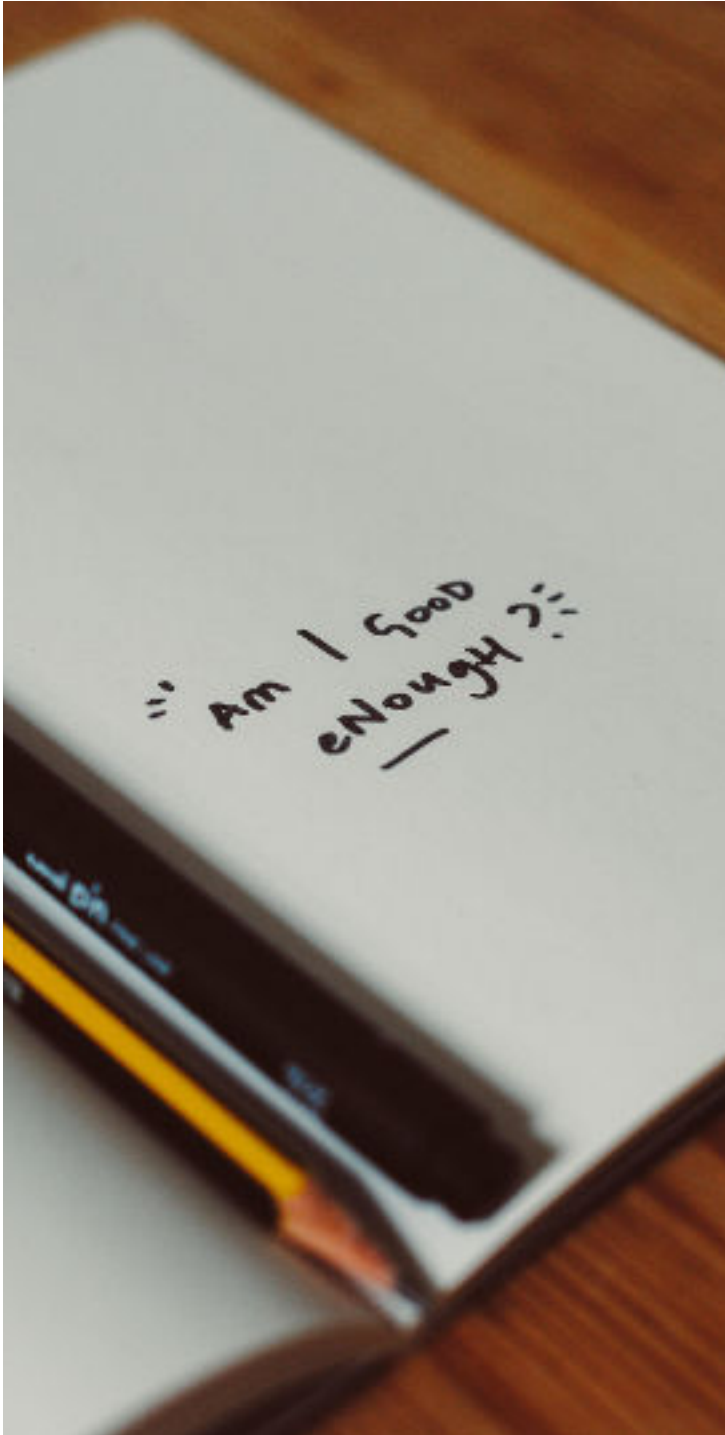




Pertinent matters for employers when considering redundancy due to economic downturn

By Geoffrey E. Odongo



Redundancy refers to loss of employment on the initiative of the employer for reasons that are not related to the employee concerned.

In times of economic downturn employers may opt for redundancy given that it is provided by statute as a fair reason for terminating employment in instances where a business needs fewer people carrying out work of the kind which several employees previously performed.

An employer that is implementing redundancy will be required to do so using a fair procedure. At the onset, it is prudent for an employer to convene a meeting of the affected employees at which the following key matters should be discussed with employees:

1. the reasons for considering redundancy
2. alternatives to redundancy that have been considered prior to considering redundancy - staff should be allowed to ask questions and contribute to such alternatives
3. opportunities for redeployment
4. the number of employees whose employment it is expected will be terminated as a result of the redundancy.
5. the categories of employees who are in the pool of employees at risk of losing their employment to redundancy.
6. the consultation period
7. the process of selection, including the criteria for assessment and the timetable
8. the right of appeal
9. future openings for individual consultation and further open meetings