Who doesn't get redundancy pay?

Coronavirus and Australian workplace laws
If your workplace has been impacted by coronavirus, we have information about your workplace rights and obligations.

Some employees don’t get redundancy payments when their job is made redundant.

The following employees don’t get redundancy pay:

- employees whose period of continuous service (www.fairwork.gov.au/Dictionary.aspx?TermID=2141) with the employer is less than 12 months
- employees employed for:
  - a stated period of time
  - an identified task or project
  - a particular season
- casual employees
- trainees engaged only for the length of the training agreement
- apprentices.

There are special arrangements for employees whose employment transfers when the business they work for is sold. Find out more on our When businesses change owners (www.fairwork.gov.au/Employee-entitlements/When-businesses-change-owners/default) page.

Employees of small businesses

A small business is one that employs fewer than 15 employees. Some small businesses don’t have to pay redundancy pay when making an employee redundant.

To see if small businesses need to pay redundancy pay, select your industry in Redundancy pay and entitlements (www.fairwork.gov.au/Ending-employment/Redundancy/redundancy-pay-and-entitlements/default).

To figure out whether the business is a small business, count all employees employed at the time of the dismissal including:

- the employee and any other employees being terminated at that time
- regular and systematic casual employees employed by the business at the time of the redundancy (not all casual employees)

The time of dismissal is when an employer provides an employee with their notice of termination. It doesn't matter if an employee works out their notice period or not.


Think a mistake might have been made?

For employees:

If you’ve lost your job, contact the Fair Work Commission (the Commission) first if you think you were sacked because of:

- a reason that is harsh, unjust or unreasonable
- another protected right.

You have 21 days starting from the day after you were dismissed to lodge an application with the Fair Work Commission. Check the information at the Commission website to find out if you can apply for:
The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional.

Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.