Who doesn't get redundancy pay?

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 size of the business is counted the earliest of:

- when the employee is told their employment will be terminated, or


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:

If you think you haven’t been paid everything you’re owed:

- read about Notice and final pay (www.fairwork.gov.au/Ending-employment/notice-and-final-pay/default) to find out what you should get
- see our Help resolving workplace issues (www.fairwork.gov.au/How-we-will-help/How-we-help-you/Help-resolving-workplace-issues/default) section for practical advice on:
  - talking to your employer about fixing your notice and final pay if it’s wrong
  - getting help from us if you can’t resolve it.

For employers:

- check that the right Notice and final pay (www.fairwork.gov.au/Ending-employment/notice-and-final-pay/default) has been given
- read our Help resolving workplace issues (www.fairwork.gov.au/How-we-will-help/How-we-help-you/Help-resolving-workplace-issues/default) section for practical advice on:
  - talking to fix any problems
  - getting help from us if you still can’t resolve it.

What to do next

- Visit Notice and final pay (www.fairwork.gov.au/Ending-employment/notice-and-final-pay/default) for information on final payments to employees

Help for small business


You might also be interested in


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