

Redundancy – How will the employee enforce a claim?

In ADJ7254 the Adjudication Officer found that there was a redundancy. We reviewed the decision. It does not give a start date in the decision. It does not give a finishing date. It does not give a rate of pay. It does not give the employees date of birth. Now all of those are needed for the employee to go to the Department of Employment Rights and Social Protection to put a claim into the fund. At a very minimum the decision has to set out start date, finishing date, and the rate of pay. The decision that has issued is effectively unenforceable if the employee has to go to the Social Fund. This is the type of case where an employee may have to appeal to the Labour Court which is an unnecessary additional cost. Alternatively, may have to bring a claim back to the Workplace Relations if the Department refuses to pay up. Decisions relating to redundancy should set out the basic information which is required by the Department.