



### **Déjà vu! Suspension of Right to Claim Redundancy Extended Once Again**

**And the COVID-19 chaos continues...**

Yesterday, 15 September 2020, the Minister for Social Protection, Heather Humphreys TD, announced the decision to extend the temporary suspension of redundancy for lay-off and short-time workers until 30 November 2020. This is the third time the suspension has been extended since it was originally brought into effect on 13 March 2020 under the Emergency Measures in the Public Interest (Covid-19) Act 2020. It was originally intended that the suspension would continue to 31 May until it was again extended to 31 August, 17 September and most recently, 30 November 2020.

Ordinarily under the Redundancy Payments Act 1967, as amended, an employee placed on temporary lay-off or short time can claim redundancy from their employer after 4 consecutive weeks (or 6 weeks within a period of 13 weeks). However, this right was suspended in order to mitigate further financial loss to businesses due to the inevitable tsunami of redundancy claims by workers laid off or placed on short time due to COVID-19.

In extending the suspension, the Minister highlighted the continued challenges facing the current labour force, with approximately 210,000 people in receipt of Pandemic Unemployment Payment and a further 32,200 employers registered with Revenue for the Employment Wage Subsidy Scheme. In this regard, she also emphasised the importance of ensuring workers have a continued link to their job and a pathway to return to their previous employment.

While this decision will undoubtedly be met with challenge, the Minister reminded workers that their right to claim redundancy has not been permanently removed and that employees who remain on lay-off or short-time work for the requisite period when the emergency measure expires will be entitled to exercise their right to claim redundancy from their employer.

*Our Employment & Corporate Immigration Team has specialist experience in advising employers on redundancies and any legal disputes which may arise during this process. We are available to discuss any issues that may arise for you as a result of your evolving obligations as an employer during this time of uncertainty. For further information, please contact Bláthnaid Evans or Sheila Spokes, on +353 1 639 3000 or visit our website, [www.leman.ie](http://www.leman.ie).*