

## **Bonallack & Bishop Solicitors Press Release**

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### **SOLICITORS ADVISE ON ALTERNATIVES TO REDUNDANCY**

With the current credit crunch, restructuring and redundancies are becoming increasingly common. Businesses, large and small, may find themselves forced to shed staff in order to keep their business alive. It is a very stressful time for employees facing potential redundancy and also often for the employer.

Alan Jenner, specialist Employment Lawyer with Salisbury-based solicitors Bonallack & Bishop, gives the following advice to employers considering redundancy:

“A genuine redundancy occurs when a job role no longer exists or can be dispensed with for justifiable economic reasons that benefit the employer. However, before you consider if a redundancy may be required, it is worthwhile looking into alternatives. Can you:

- a) Stop using temporary staff – they can prove expensive due to the additional costs of using an agency. Can you reallocate work to existing staff instead?
- b) Reduce paid overtime
- c) Develop sources of new work
- d) Convert sales staff from salary to commission-only where possible
- e) Introduce flexible shift patterns or annual hours contracts
- f) Convert part of the salary to a performance-related bonus
- g) Cutting employees' hours
- h) Offer sabbatical or periods of unpaid leave

- i) Control unnecessary travel and use telephone and web conferencing instead of face to face meetings

Alan continues, "Above all when considering a change to your employees terms and conditions, it is essential to talk to your staff, explain the current position to them and discuss with them questions of changing conditions rather than simply imposing changes – which can lead to significant morale problems and legal claims for breach of contract. When implementing a change, if you are an employer without internal legal or human resources staff, you will need advice from a specialist employment lawyer. Redundancy can be a tricky area of law and too often employers incorrectly use redundancy as the label for sacking employees. This can prove very dangerous as employment tribunals are becoming very familiar with this trick and an unfair dismissal claim can prove very expensive. If you aren't getting rid of a worker for redundancy – don't misuse the term – instead make sure you know exactly what you are doing and follow the correct procedure."

Commenting on Alan's advice, Tim Bishop, Bonallack and Bishop's senior partner said, "We have applied a number of these tips successfully to our business. In particular, we have stopped using temps entirely and despite the downturn in the housing market, have made no redundancies – instead providing number of our property team with alternative work, re-training some of them when necessary. As a result, despite the recession, our staff morale is high."

**END**