**Checklist for dismissal for operational requirements**

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| 1  Consultation | When does the employer consult? (Consultation is required before the decision to dismiss has been taken) |  |
|  | With whom does the employer consult: |  |
|  | •  persons prescribed by a collective agreement? | Yes/no |
|  | •  workplace forum? | Yes/no |
|  | •  a registered union? | Yes/no |
|  | •  employees likely to be affected? | Yes/no |
|  | Do the parties consult on measures to avoid/minimise dismissals, eg short time, no overtime, moratorium on new appointments, early retirement, voluntary retrenchment and temporary lay-off? | Yes/no  Specify the measures considered and whether they can be implemented or not |
| 2  Disclosure of information | Has the employer disclosed the following: |  |
|  | •  reasons for the proposed dismissal | Yes/no  Reasons: |
|  | •  reasons for rejecting measures to avoid dismissals | Yes/no  Reasons: |
|  | •  the number of employees likely to be affected and their job categories | Yes/no  Number of employees and job categories:  .............................................. |
|  | •  proposed selection criteria | Yes/no  Criteria: |
|  | •  proposed timing of the dismissals | Yes/no  Timing: |
|  | •  proposed severance pay | Yes/no  Proposal: |
|  | •  proposed assistance to affected employees | Yes/no  Proposal: |
| 3  Representations | Has the employer allowed an opportunity for representations by the other party? | Yes/no |
|  | Formulate the representations |  |
|  | Has the employer considered the representations? | Yes/no |
|  | Has the employer furnished reasons if he disagrees with the representations? | Yes/no  Reasons: |
| 4  Decision to dismiss | Have all possible measures to avoid dismissal been considered during consultation? | Yes/no |
|  | Is dismissal the only possibility? | Yes/no |
|  | If so, when has the decision to dismiss been taken? |  |
| 5  Further consultation | Are the consulting parties considering the following: |  |
|  | •  changing the timing of the dismissals | Can the timing be changed? |
|  | •  selection criteria | Which criteria will be used to determine who is to be dismissed? |
|  | •  mitigating the effect of the dismissals | Can the employer assist employees to find alternative employment or will he re-employ retrenched employees? |
|  | •  notice pay | What is the required notice period? |
|  | •  severance pay | Is the employer paying the prescribed minimum of one week per completed year or is he paying more? |
| 6  Administrative obligations | Has the employer complied with the following: |  |
|  | •  payment of outstanding wages? | Yes/no |
|  | •  payment of notice pay in lieu of notice? | Yes/no |
|  | •  payment of leave pay? | Yes/no |
|  | •  payment of any other benefits due to employees? | Yes/no |
|  | •  issuing of UIF card? | Yes/no |
|  | •  issuing of certificate of service? |  |