

REDUNDANCY CONSULTATION CHECKLIST

(Pursuant to Section 54 of the Employment Code Act No. 3 of 2019)

Jurisdiction: Republic of Zambia

Document Type: Compliance Checklist (Employment Law)

Purpose:

This checklist is intended to guide lawful and procedurally fair redundancy consultations, ensuring that all actions taken by the employer comply with Zambia's labour laws. It may also be used by employees or unions to verify whether due process has been followed during redundancy proceedings.

PART A: EMPLOYER INFORMATION

Employer Name: _____

Business Address: _____

Company Registration No.: _____

Contact Person (HR/Legal): _____

Phone / Email: _____

PART B: REDUNDANCY BACKGROUND

- ☐ Redundancy based on valid operational, structural, technological, or financial grounds
- ☐ Clear justification for abolishing the specific position(s)

- ☐ Internal records or board resolution documenting redundancy rationale
 - ☐ Alternatives to redundancy explored (e.g., redeployment, reduced hours)
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PART C: CONSULTATION PROCEDURE *(In accordance with Section 54(1)–(5) of the Employment Code Act)*

- ☐ Notice of intention to declare redundancy issued to affected employee(s)
 - ☐ Written notice given to the **Labour Commissioner** as required under **Section 54(1)**
 - ☐ Consultation meeting(s) held with employee(s) and/or representative(s)
 - ☐ Reason(s) for redundancy explained in detail
 - ☐ Employee(s) given opportunity to respond, raise objections or propose alternatives
 - ☐ Written record (minutes) of consultation retained and shared
 - ☐ Union consulted (where applicable under Industrial and Labour Relations Act, Cap. 269)
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PART D: EMPLOYEE SELECTION PROCESS

- ☐ Criteria used for redundancy selection were objective and fair (e.g., skill level, qualifications, performance, seniority)
 - ☐ Criteria applied consistently across affected group(s)
 - ☐ Non-discriminatory application (no bias on gender, age, disability, tribe, etc.)
 - ☐ Employee(s) informed of how selection decision was made
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PART E: TERMINAL BENEFITS & EXIT ENTITLEMENTS

- ☐ Calculation of redundancy benefits in accordance with **Section 54(5)** of the **Employment Code Act**
- ☐ Other terminal benefits computed (leave days, gratuity, pension, etc.)

- ☐ Written explanation of benefits provided to employee
 - ☐ Certificate of service prepared and signed
 - ☐ Final payslip issued
 - ☐ Tax and statutory deductions (e.g., NAPSA, NHIMA) properly accounted for
 - ☐ Confirmation of date and method of payment (bank transfer, cheque, etc.)
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PART F: POST-TERMINATION SUPPORT (Recommended)

- ☐ Employee informed of available counselling or support services
 - ☐ Reference letter offered upon request
 - ☐ Referral to job placement services (if available)
 - ☐ Clear channel for post-employment communication provided
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PART G: GOVERNING LAW & DISPUTE RESOLUTION

All matters in this checklist shall be governed by:

- **Employment Code Act No. 3 of 2019**
- **Industrial and Labour Relations Act, Cap. 269**
- **Companies Act No. 10 of 2017** (if restructuring involved)
- **Labour Commissioner Guidelines on Redundancy (where applicable)**

- ☐ Internal grievance procedures made available to affected employees
 - ☐ Employee informed of right to lodge complaint with the **Labour Commissioner** or escalate to **Court**
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PART H: SIGN-OFF AND CERTIFICATION

For Employer/HR Representative

I confirm that this checklist has been fully completed, and the redundancy process has been conducted in compliance with Zambian law.

Name: _____

Signature: _____

Position: _____

Date: _____

For Employee (Acknowledgement)

I confirm receipt of this checklist and acknowledge that the consultation process has taken place.

Name: _____

Signature: _____

Date: _____

☐ I agree ☐ I disagree with the redundancy process (optional comments below):

PC | LP

PC | LP

Patrick Chulu Legal Practitioners

Official Stamp: _____