

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE - *appellant*

CASE NO.  
RP2558/2011

Against

EMPLOYER

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Dr. A. Courell B.L.  
Members: Mr. D. Morrison  
              Mr M. McGarry

heard this appeal at Castlebar on 7 December 2012

Representation:

Appellant(s) : in person

Respondent(s) : no appearance by or on behalf of the respondent

**Determination**

The appellant received a redundancy payment calculated on a three-day working week. He was before the Tribunal to appeal the amount received stating that the calculation should be based on his full time position. His evidence to the Tribunal was that he continuously sought to return to full time employment having been placed on a three-day working week in early 2009.

The Tribunal is satisfied that both parties were properly notified of the hearing. The Tribunal is satisfied that the appellant was on a three-day week from early 2009 which was over two years before he was made redundant. There was no compelling evidence presented to the Tribunal that he did not accept this situation or sought to return to fulltime employment and therefore the claim under the Redundancy Payments Acts 1967 to 2007 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)