

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE - *appellant*

RP2380/2011

Against

EMPLOYER - *respondent*

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 of €8937 calculated on a three-day workingweek. He was before the Tribunal to appeal the amount received stating that the calculations 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 2008.

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 for over two years before he was made redundant. Documentary evidence was provided to the Tribunal setting out his position to the employer seeking a return to full time employment. Letters of acknowledgement from his employer were also presented to the Tribunal.

The Tribunal have considered the compelling evidence finds that the appellant made every effort to return to full time employment and never accepted being placed on a three-day working week. The claim under the Redundancy Payments Acts 1967 to 2007, succeeds and the

Tribunal award the appellant a redundancy lump sum payment based on the following information:

Date of Birth: 13 May 1959
Date of Commencement: 15 July 1994
Date of Termination: 30 July 2010
Weekly Gross Pay: €450

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. Please note that a weekly ceiling of €600 applies to all awards made from the Social Insurance fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)