

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

appellant

RP24/2012

Against

EMPLOYER
under

respondent

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Ms A. Gaule
Mr F. Barry

heard this appeal at Dublin on 30th April 2013

Representation:

Appellant(s): The appellant in person

Respondent(s): The company secretary

The decision of the Tribunal was as follows:-

Determination

The appellant had received redundancy based on a three day working week. His claim was that it should have been calculated on the basis of a five day week, however it is clear that he was on a three day week for some years which was well in excess of the one year period set down in the 1979 Act.

Under the Act the redundancy payment calculation is based on the normal weekly remuneration for normal working hours at the date he was declared redundant. Short term working for a period of up to one year does not make the redundancy hours "normal working hours" but the 1979 Act lays down a cut off period of twelve months.

Therefore the Tribunal finds that the redundancy payment was correctly calculated under the Redundancy Payments Acts 1967 to 2007 and the appeal fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

