

## **Redundancy – Reduced Hours – Reduced Pay**

There is an old case ADJ-00003524 where an Adjudication Officer had to look at the issue of an employee who had been placed on reduced and short time work. This case is a useful reminder that if a person is made redundant within a year of being put on reduced hours of work then the redundancy payment is based on the earnings of a full week prior to being placed on the reduced or short time work. If an employee is made redundant after working the reduced hours for more than a year then it is calculated on the reduced earning.

This case highlights that if an employee has been placed on reduced working hours and are considering bringing a redundancy case that they should certainly do so within 12 months or at least seek to be put back onto their full hours because if they wait they could end up being paid their redundancy on the reduced amount.

While the issue was not determined by the Adjudication Officer it appears that if an employee does seek to be put back onto full time work then the redundancy, if it subsequently arises, will be on the full hours prior to the reduction.

It will not be a matter for the employee to simply say that they requested it. They will need documentary evidence to prove it. This could be an email or a letter together with evidence of posting but probably an email with a delivery receipt and a read receipt or at least a delivery receipt would be sufficient and probably the best evidence of seeking it.