

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

Employee

against

3 Employers

under

CASE NO.

RP89/2006

WT68/2006

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. J. Fahy

Members: Mr. P. Pierson
Mr. S. O'Donnell

heard this appeal at Athlone on 16 February 2007

Representation:

Appellant:

In person

Respondents:

Mr. O'Sullivan in person

The determination of the Tribunal was as follows:

Determination:

Having considered the evidence in this case the Tribunal is satisfied that the appellant was dismissed by reason of redundancy and is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2003. The Tribunal is further satisfied that the respondent was the subject of a transfer of undertaking in May 2003 and that the appellant's service should include that prior to this transfer. The Tribunal was further satisfied that a second transfer of undertaking took place in September 2006 and, as the evidence showed that he had been made aware of this case, the thirdnamed respondent was added to the proceedings. The appellant's lump sum is based on the following criteria: -

Date of Birth	Employment Commenced	Employment Ended	Gross Weekly Pay
9 May 1957	1 August 2001	1 September 2005	€400-00

The respondent having conceded liability under the Organisation Of Working Time Act, 1997 The Tribunal further awards €3520-00, being twenty-six days pay, in respect of annual leave, and eighteen public holidays.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)