

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

Employee

UD957/2006

against

RP485/2006

Employer

Under

### UNFAIR DISMISSALS ACTS, 1977 TO 2001 REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. J. Fahy

Members: Mr. T. Gill  
Mr. M. McGarry

heard this claim at Castlebar on 3rd September 2007

#### **Representation:**

Claimant: Mr. Thomas J. Walsh, Solicitor, 1 Mill Lane, Main Street, Castlebar, Co. Mayo

Respondent: Appeared in Person

The determination of the Tribunal was as follows:-

The appellant told the Tribunal that he attended the respondent's house to collect his wages on Friday the 31<sup>st</sup> March 2006. The respondent informed him that there was no work for him the following Monday.

The respondent told the Tribunal that he had every intention of re-engaging the appellant if he had work but none had arisen. He accepted that a redundancy situation did exist. The appellant did not break his service with the respondent.

#### **Determination:**

Having considered the evidence, the Tribunal finds that a redundancy situation did exist. Therefore, the appeal under the Redundancy Payments Acts 1967 to 2003 succeeds and the Tribunal awards the appellant his statutory redundancy payment based on the following information:

Date of Birth: 21<sup>st</sup> August 1956  
Date of Commencement: 29<sup>th</sup> October 1996  
Date of Termination: 31<sup>st</sup> March 2006  
Gross Weekly Pay: €576.00

As the appellant was dismissed by reason of redundancy, the claim made under the Unfair Dismissals Acts, 1977 to 1993, fails

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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