

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

Employee

RP411/2007

against

MN614/2007

Employer

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. J. Fahy B.L.

Members: Mr. J. Redmond
Dr. A. Clune

heard this appeal at Galway on 11 January 2008

Representation:

Appellant: Ms. Diane Jackson, SIPTU No.3 Branch
Forster Court, Galway

Respondent: Director of the respondent company

The determination of the Tribunal was as follows:

Determination:

It was accepted by the respondent that the appellant was entitled a lump sum payment under the Redundancy Payments Acts. The area of dispute between the parties centred on the normal weekly remuneration of the appellant who worked as a boner on a piece work system. The appellant last worked for the respondent on 8 January 2007. He was notified that his position was to be made redundant on 22 February 2007 with termination of the employment on 14 April 2007. From working on a full time basis until September 2005 the appellant was then employed on a part time basis. The Tribunal is satisfied that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria where the gross weekly pay has been calculated as provided in paragraph 16 (iii) of the schedule to the Acts by taking into account the remuneration paid to the appellant in the 26 weeks which ended 13 weeks before the date on which he was declared redundant

Date of Birth	Employment Commenced	Employment Ended	Gross Weekly Pay
3 September 1951	17 June 1994	8 January 2007	€187-49

Loss having been established the Tribunal awards the sum of €1,124-94, being six weeks' pay,

under the Minimum Notice and Terms of Employment Acts, 1973 to 2001

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)