

CORRECTING ORDER

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

Employee

CASE NO.

UD468/07
RP198/07
MN330/07
WT142/07

Against

Employer

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2001
REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr D Hayes BL

Members: Mr G Mc Auliffe
Mr N Broughall

heard this claim at Dublin on 8th April 2008.

Representation:

Claimant : In Person

Respondent : No appearance by or on behalf of the respondent.

The determination of the Tribunal was as follows:-

This Order corrects the original Order dated 14th November 2007 and should be read in conjunction with that Order.

The Tribunal is satisfied that the respondent was properly notified of this hearing. Neither the respondent nor a representative on its behalf appeared for this hearing.

Based on the evidence adduced at the hearing, the Tribunal awards the claimant a sum of €1,230.76 being the equivalent of two weeks pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Under the Organisation of Working Time Act, 1997 the Tribunal awards the claimant the sum of €2,461.52 being the equivalent of twenty days' pay.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

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ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr D. Hayes

Members: Mr G. Mc Auliffe
Mr. N. Broughall

heard this claim at Dublin on 14th November 2007

Representation:

Claimant: In person

Respondent: No representation listed

The determination of the Tribunal was as follows:

The Tribunal is satisfied that the respondent was properly notified of this hearing. Neither the respondent nor a representative on its behalf appeared for this hearing.

Based on the uncontested submissions of the appellant the Tribunal finds that his employment was terminated by way of redundancy. Accordingly, the Tribunal awards him a statutory amount under the Redundancy Payments Acts, 1967 to 2003 and based on the following:

Date of Birth: 24 September 1984
Date of Commencement: 20 October 2004
Date of Termination : 9 May 2007
Gross weekly Wage: €615.38

A statutory gross weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

It follows that the claim under the Unfair Dismissals Acts, 1977 to 2001 must fall as a dismissal by way of redundancy is deemed to be fair.

The appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2001 and the Organisation of Working Time, 1997 were withdrawn.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)