

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

Employee

MN237/2008
RP204/2008

against

Employer

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr D. Mac Carthy S C

Members: Mr D. Winston
Mr G. Whyte

heard this appeal at Dublin on 19th June 2008

Representation:

Appellant :

Mr Arthur Hall, Regional Secretary, T.E.E.U., 5 Cavendish
Row, Dublin 1

Respondent :

Managing Director

The decision of the Tribunal was as follows:-

The respondent conceded that the appellant was entitled to be paid statutory redundancy, however he was not in a position to pay him his entitlements under the Redundancy Acts. The appellant secured alternative employment immediately at a lower rate of salary.

Determination:

The Tribunal is satisfied that the appellant was dismissed by reason of redundancy and he is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following:

Date of Birth	30 th March 1985
Date employment commenced	15 th February 2004
Date employment ended	27 th November 2007
Gross weekly wage	€740.61

Please note that a weekly ceiling of €600 applies to all payments from the Social Insurance Fund

In accordance with the Department of Enterprise Trade and Employment Redundancy Calculator the lump sum due to the appellant is €5,148.00.

We also award the appellant €96 under the Minimum Notice and Terms of Employment Acts, 1973 to 2001 being the pay differential with his new job.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)