

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:  
Employee

CASE NO.

UD1149/2007  
RP651/2007

against  
Employer

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr D. Mahon BL

Members: Ms A. Gaule  
Mr B. Byrne

heard this claim at Dublin on 19th June 2008

Representation:  
\_\_\_\_\_

Claimant(s) :

In person

Respondent(s) :

No representation or appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

#### **Determination**

The Tribunal having carefully considered the uncontested evidence of appellant finds that a genuine redundancy situation did exist in relation to the appellant's employment. It is the unanimous determination of the Tribunal that the appellant was dismissed by reason of redundancy. Therefore, the Tribunal determines that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2003 based on his continuous service and the following information.

Date of Birth:	23 <sup>rd</sup> April 1951
Date of commencement of employment:	17 <sup>th</sup> March 2005
Date of termination of employment:	05 <sup>th</sup> November 2007
Gross weekly pay:	€330.48

As unfair dismissal and redundancy are mutually exclusive the claim under the Unfair Dismissal Acts 1977 to 2001 must fail.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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

