

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

Employee

UD368/2008

MN332/2008

RP611/2008

against

Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001 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. Cagney B.L.

Members: Ms. A. Gaule
Mr. J. Dorney

heard this appeal at Dublin on 17 July 2008

Representation:

Claimant:

Mr. Peter O'Brien B.L. instructed by Ms. Niamh Moran,
Niamh B. Moran & Co. Solicitors,
8 The Avenue, Tyrrelstown, Dublin 15

Respondent:

Mr. Joseph Bolger, ESA Consultants, The Novum Building,
Clonshaugh Industrial Estate, Dublin 17

The determination of the Tribunal was as follows:

Determination:

At the outset of proceedings the claimant's representative made an application to add a claim under the Redundancy Payments Acts. There being consent from the respondent and that claim being conceded the claim under the Unfair Dismissals Acts was withdrawn. In the circumstances the Tribunal finds that the claimant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria

Date of Birth	3 November 1983
Employment commenced	1 January 2002
Employment ended	5 October 2007
Gross weekly pay	€800-00

It should be noted that payments from the social insurance fund are limited to a maximum of €600-00 per week. This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

Having also been conceded by the respondent, loss having been established, the Tribunal further awards €3,200-00, being four 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)