

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

Employee
UD304/2008

RP237/2008

WT145/2008

against

Employer

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
UNFAIR DISMISSALS ACTS, 1977 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. O'Leary BL

Members: Mr. M. Murphy
Ms. C. Warnock

heard this appeal at Drogheda on 28th July 2008

Representation:

Claimant: Mr. Shane Coyle of Brannigan & Matthews Solicitors, 33 Laurence Street,
Drogheda, Co. Louth

Respondent: Mr. Daniel Murphy of Joyce & Co., 9 Washington Street West, Cork

The decision of the Tribunal was as follows:

Determination:

The Tribunal considered carefully the evidence adduced, and is satisfied that a redundancy situation existed. Therefore the claimant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003, based on the following criteria:

Date of Birth:	30th January 1975
Date employment commenced:	1st March 2005
Date employment ended:	29th February 2008
Gross weekly salary	€942.79

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 claimant having been in insurable employment under the Social Welfare Acts during the relevant period. The respondent is entitled to a credit of €1,266.00 for a sum already paid.

As the claim under the Redundancy Payments Acts, 1967 to 2001 succeeded, the claim under the Unfair Dismissals Acts, 1977 to 2001 fails.

The Tribunal finds that the claimant is not due any holiday pay. Accordingly the claim under the Organisation of Working Time Act, 1997 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)