

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

Employee

RP601/08

Against

Employer

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Hayes B.L.

Members: Mr. F. Moloney
Mr. B. Byrne

heard this appeal at Dublin on 3rd November 2008

Representation:

Appellant: Mr. John Swords of Operative Plasterers & Allied Trades Society
Of Ireland, 72 Shantalla Road, Beaumont, Dublin 9

Respondent: Mr. Stephen Sands of CIF, Construction House, Canal Road, Dublin 6

The decision of the Tribunal was as follows:-

There was no appearance by the appellant and the Tribunal was satisfied that the appellant was properly notified of the hearing. However the appellant's representative was present and able to present the case. The respondent and his representative were present.

Determination:

The Tribunal carefully considered the submissions made. The Tribunal was satisfied that a redundancy situation existed. However the appellant was made redundant within one month of the respondent being informed by FÁS that he had successfully completed his apprenticeship. Accordingly the appellant is not entitled to a redundancy under the provisions of Section 7 (4) of the Redundancy Payments Act, 1967.

The case under the Redundancy Payments Acts, 1967 to 2001 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

