

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

- *appellant*

CASE NO.

RP731/2008

Against

Employer

– *respondent*

Under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Hayes BL

Members: Mr. D. Winston
Ms. C. Warnock

heard this appeal at Navan on 27th January 2009

Representation:

Appellant: In person

Respondent: In person

The decision of the Tribunal was as follows:

The appellant was employed as an apprentice electrician by the respondent. His employment commenced in August 2003 and terminated in July 2008. He brings a claim pursuant to the Redundancy Payments Acts, 1967 to 2007.

The Tribunal was told that the normal apprenticeship for an electrician lasts for four years. The appellant had failed two phases, which lengthened his apprenticeship. The respondent was notified by FÁS that the appellant had successfully completed phase 6 by letter dated 18th April 2008. Phase 7 consists of on the job training and lasts at least twelve weeks. The appellant successfully completed phase 7 in early July 2008 and became a qualified electrician. The respondent thereupon terminated his employment.

The Tribunal was told that the respondent engages about four apprentices each year and that almost all of them are released at the conclusion of their apprenticeship.

The Tribunal is satisfied that the appellant's employment was terminated on the conclusion of his apprenticeship, as was normal in the company. He was not dismissed by reason of redundancy. Furthermore, the Tribunal is satisfied that the appellant was dismissed within one month of the end of his period of apprenticeship and, accordingly, is not entitled to a redundancy payment pursuant to the provisions of Section 7 (4) of the Redundancy Payments Act, 1967.

The claim under the Redundancy Payments Acts, 1967 to 2003 is dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

