

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
Employee

CASE NO.
RP607/2008, MN651/2008
WT295/2008

against

Employer

Under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. MacCarthy S C

Members: Mr J. Hennessy
Ms K. Garvey

heard this appeal at Carlow on 17th November 2008

Representation:

Appellant: In person

Respondent : No representation listed

The decision of the Tribunal was as follows:

Having heard and considered the submissions from both parties the Tribunal finds that the appellant was dismissed by the respondent by reason of redundancy.

Accordingly, he is awarded a statutory redundancy amount under the Redundancy Payments Acts, 1967 to 2003 based on the following:

Date of Birth: 4 February 1969
Date of Commencement: 17 January 2006
Date of Termination: 13 June 2008
Gross Weekly Wage: €570.00

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal is satisfied that the appellant was given his statutory notice of the cessation of his

employment. It follows, therefore, that the appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2001 falls.

Due to the conflicting statements and submissions presented to the Tribunal on any outstanding payments on holiday entitlements the Tribunal was unable to precisely determine an award, if any, under the Organisation of Working time Act, 1997. In those circumstances, and in the interests of compromise, the Tribunal awards the appellant €1140.00 as compensation for ten days leave under the above Act.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

