

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
Employee
-appellant

CASE NO.
RP1407/2008, MN1491/2008

against

Employer

-respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath

Members: Mr M. Flood
Mr C. Ryan

heard this appeal at Dublin on 15th May 2009

Representation:

Appellant : In person

Respondent : No representation listed

The decision of the Tribunal was as follows:

The applicant commenced employment in June 2002. He was laid-off in December of 2007. The appellant was on lay-off until 2008 after which he was on short time. The applicant is entitled to look for redundancy in circumstances where the employer was not in a position to offer full time employment for a minimum of thirteen weeks.

The appeal under the Redundancy Payments Acts, 1967 to 2007 is allowed and the appellant is awarded a statutory redundancy payment based on the following:

Date of Birth: 24 May 1980

Date of Commencement : 15 June 2002

(laid-off from 21 December 2007 to 15 June 2008, short time 15 June 2008 to 16 December 2008)

Date of Termination: 16 December 2008

Gross Weekly Wage: €450.00

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

Since the appellant was on notice that his employment could terminate from December 2007 his appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)

