

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

Employee –**Appellant**

RP330/2009

MN1817/2009

against

Employer -**Respondent**

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Hayes B.L.

Members: Mr. D. Moore
Mr. A. Butler

heard this appeal at Dublin on 3 September 2009

Representation:

Appellant:

Mr. Charlie Prizeman, Industrial Officer, TEEU,
5 Cavendish Row, Dublin 1

Respondent:

XXXX Managing Director of the respondent

The determination of the Tribunal was as follows:

Determination:

The appellant commenced employment on 2 July 2006 under a contract of apprenticeship. The respondent accepted that the apprenticeship came to an end on 5 December 2008 on the appellant's return from the college-based phase four of the apprenticeship. The respondent told the Tribunal that he had intended to let him the appellant go earlier in the year but kept him on so that he could complete phase four of the apprenticeship. Unfortunately for the respondent this brought the appellant beyond the qualifying threshold for a redundancy payment. The Tribunal, being satisfied that the appellant was dismissed by reason of redundancy, finds that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following schedule.

Date of Birth	Employment Began	Employment Ended	Gross Weekly Pay
12 December 1988	2 July 2006	5 December 2008	€461-81

The Tribunal is further satisfied that the appellant received only one week's notice of termination. Accordingly the Tribunal awards €461-81, being one week's pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

These awards are made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)