

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE –**Appellant**

RP824/2009

MN773/2009

WT325/2009

against

EMPLOYER -**Respondent**

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K. T. O'Mahony B.L.

Members: Mr. J. Hennessy
Ms. E. Brezina

heard this appeal at Kilkenny on 2 November 2009

Representation:

Appellant:

Mr. Phil Funchion, Noreside Resource Centre,
22 Vicar Street, Kilkenny

Respondent:

Director of the respondent

The determination of the Tribunal was as follows:

Determination:

The respondent having conceded the fact of redundancy the Tribunal finds that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

Date of Birth	18 January 1969
Employment commenced	1 January 2005
Employment ended	11 November 2008
Gross weekly pay	€965-00

The appellant was laid off from 10 October 2008 until 11 November 2008. The appellant having claimed redundancy by reason of lay off a claim under the Minimum Notice and Terms of

Employment Acts, 1973 to 2005 does not arise. The Tribunal further awards €965-00, being five days' pay under the Organisation of Working Time Act, 1997

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that payments from the social insurance fund are limited to a maximum of €600-00 per week

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)