

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

- appellant

RP256/2009

against

EMPLOYER

- respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr L. Ó Catháin

Members: Mr. P. Casey
Ms H. Kelleher

heard this appeal at Cork on 3rd November 2009

Representation:

Appellant :

Mr Diarmuid Enright, Ucatt Ireland, Cork District Office,
Carpenters Hall, 6 Father Matthew Quay, Cork

Respondent :

XXXX

The decision of the Tribunal was as follows:-

On 14th March 2008 the appellant was given a weeks notice and told there was no more work.

The respondent made the point that he had signed off on the appellant for his 3rd year apprenticeship even though strictly he could have deducted the periods of sick leave which would have brought the rate of pay back to the 2nd year rate.

The union representative stated that the appellant was entitled to redundancy and entitled to same on the basis of the 3rd year rate.

Determination:

The Tribunal is satisfied that the appellant was dismissed by reason of redundancy and the 3rd year rate applies for calculation of his redundancy lump sum.

The appellant is entitled to a redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following:

Date of Birth	20 th May 1983
Date employment commenced	30 th January 2006
Date employment ended	20 th March 2008
Gross weekly pay	€544.05

Please note that this award is being 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)

