

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

Against

Employer

under

CASE NO.

RP1022/09

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr F. Cunneen
Mr P. Trehy

heard this appeal at Dublin on 10th February 2010.

Representation:

Appellant: In person

Respondent: In person

The decision of the Tribunal was as follows:-

The Tribunal finds that the appellant was dismissed by reason of redundancy and is entitled to a redundancy payment based on:

Date of Birth:	29 th May 1955
Service from:	1 st August 1996 to 2 nd February 2009
Normal Weekly Remuneration:	€551.45
Non-reckonable service:	25 weeks
Amount of Redundancy:	€13830.37

The Tribunal heard about certain interruptions in the appellant's service over the past three years. These interruptions were in the nature of lay-off and other authorised absences, which do not break continuity under Schedule 3 of the Redundancy Payments Act, 1967 but are non reckonable in computing the redundancy lump sum. The Tribunal assessed the total of these interruptions at twenty-five weeks, which is deemed to be non-reckonable for the purpose of the Redundancy Payments Act, 1967.

This award is subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

On the evidence presented the Tribunal is satisfied that the respondent is unable to pay the amount of the Redundancy Lump Sum and that same is payable from the Social Insurance Fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)