

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE **-claimant**

UD539/2009
MN553/2009
RP561/2009
WT237/2009

against

EMPLOYER **-respondent**

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K.T O'Mahony

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

heard these claims at Killarney on 3 February 2010

Representation:

Claimant: Mr. Tom Browne, Pdraig J. O'Connell Solicitors,
Glebe Lane, Killarney, Co. Kerry

Respondent: Mr. Michael Stack, G. Baily & Co. Solicitors,
Church Place, Church Street, Tralee, Co. Kerry

The determination of the Tribunal was as follows:

Determination

At the outset the claim under the Unfair Dismissals Acts, 1977 to 2007 was withdrawn. The respondent then conceded the fact of redundancy and liability to notice payments. Accordingly the Tribunal finds that the claimant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria

Date of Birth	24 November 1976
Employment commenced	8 September 1996
Employment ended	8 October 2008
Gross weekly pay	€400-00

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

The Tribunal further awards €2,400-00, being six weeks' pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. The claim under the Unfair Dismissals Acts, 1977 to 2007 was withdrawn. No evidence having been adduced in this regard, the claim under the Organisation of Working Time Act, 1997 fails

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)