

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE  
EMPLOYEE  
EMPLOYEE

RP1128/2009  
RP1129/2009  
RP1130/2009

**appellants**

against

EMPLOYER

**respondent**

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr J. Hennessy  
Mr. J. Dorney

heard this appeal at Kilkenny on 18th February 2010

Representation:

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Appellant(s): Mr. Philip Funchion, Noreside Resource Centre, 22 Vicar Street, Kilkenny

Respondent(s): In person

The decision of the Tribunal was as follows:-

#### **Determination**

CG on behalf of the respondent outlined to the Tribunal that a number of archaeologists were employed on a job on a motorway and the respondent had work in various sites. Work was completed on this project on 30 March 2007. A high proportion of archaeologists are a transient group of people and he could not guarantee work on completion of a project. The respondent had to lay off employees. The second named employee worked elsewhere after a project was concluded and then returned to work with the respondent.

The Tribunal finds that the appellants are entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria: -

First named appellant

Date of birth	18 March 1979
Date employment began	12 December 2005
Date employment ended	17 December 2008
Non-reckonable service	01 April 2007 to 29 April 2007
Gross weekly pay	€470.00
Amount of redundancy payment	€3,233.60

Second named appellant

Date of birth	19 November 1975
Date employment began	9 November 2005
Date employment ended	11 July 2008
Non reckonable service	1 April 2007 to 7 May 2007
Gross weekly pay	€580.00
Amount of redundancy payment	€3,561.20

Third named appellant

Date of birth	30 September 1978
Date employment started	12 December 2005
Date employment ended	17 December 2008
Non-Reckonable service	1 April 2007 to 29 April 2007
Gross weekly pay	€580.00
Amount of redundancy payment	€3,990.40

These awards are made subject to the appellants being in insurable employment for the relevant period under the Social Welfare Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_  
(Sgd.) \_\_\_\_\_  
(CHAIRMAN)

