

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

RP1096/2009

against
EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. O'Leary B L

Members: Ms A. Gaule
Ms. E. Brezina

heard this appeal at Dublin on 23rd February 2010

Representation:

Appellant:

Ms Claire McCormack, CCK Lawfirm, 66 Fitzwilliam Square, Dublin 2

Respondent:

In person

The decision of the Tribunal was as follows:-

Determination

The Tribunal having heard the evidence in this case determine that the appellant was dismissed by reason of redundancy. The alternative employment offered by the respondent was unsuitable insofar as the employee was required to travel to Ballyboggin, Co. Meath with the nearest bus service being to Edenderry, Co. Offaly. No suitable new arrangement was made by the respondent to transport the appellant from Adamstown to his place of work in Ballyboggin. The appellant did not have a driving licence or the use of a motor vehicle and therefore would not have been able to make the journey on his own. The appellant did move to the new premises by securing lifts from fellow employees but when no lifts were available he was unable to continue.

The tribunal awards the appellant a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	8 th Sept. 1975
Commencement Date	1 st Aug. 2001
Date notice received	6 th Feb. 2009
Termination date	20 th Feb. 2009
Gross pay	€575.00

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

