

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE –**Claimant**

UD1195/2009

RP1387/2009

MN1204/2009

WT533/2009

against

EMPLOYER - **Respondent**

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. Hurley

Members: Mr. P. Casey  
Mr. D. McEvoy

heard these claims at Tralee on 17 May 2010

### **Representation:**

Claimant:

Ms. Marguerite Fitzgerald, Mannix & Co. Solicitors,  
12 Castle Street, Tralee, Co. Kerry

Respondent:

Ms. Clare O'Donoghue, Pdraig J. O'Connell Solicitors,  
Glebe Lane, Killarney, Co. Kerry

The determination of the Tribunal was as follows:

### **Determination:**

At the outset of the hearing the claim under the Unfair Dismissals Acts, 1967 to 2007 was withdrawn and the respondent conceded the fact of redundancy. Accordingly, the Tribunal is satisfied 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	7 September 1981
Employment commenced	28 November 2005
Employment ended	2 May 2008
Gross weekly pay	€364-27

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

No evidence having been adduced under either the Minimum Notice and Terms of Employment Acts, 1973 to 2005 or the Organisation of Working Time Act, 1997 the claims under both Acts fail for want of prosecution

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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