

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.
RP396/2010

EMPLOYEE

- appellant

against

EMPLOYER

- respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms N. O'Carroll-Kelly BL

Members: Mr. T. O'Sullivan
Mr O. Nulty

heard this appeal at Monaghan on 21st July 2010

Representation:

Appellant(s) : In Person

Respondent(s) : In Person

The decision of the Tribunal was as follows:-

Background:

The appellant was employed by the respondent for a period of 10 years. Due to a downturn in business she was put, with other staff, on a 3-day working week on January 7th 2009. Letters to reflect this was issued to all staff, including the appellant. In May 22nd 2009 her hours were reduced again to a 2-day week and the days she worked were agreed – Tuesday and Thursday. The appellant had acquired part-time employment elsewhere. On Thursday September 24th 2009 she was working and was asked to return to work that evening. She told the owner she could not and was asked to attend the following day. The appellant was unable to as she had her other job to go to and informed the owner. He replied that she should stay at home. She asked for her P45.

Determination:

Having heard the evidence adduced by both parties in this case the Tribunal finds that a redundancy situation did not occur in this case. Accordingly the appeal under the Redundancy Payments Acts, 1967 to 2007 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)