

EMPLOYMENT APPEALS TRIBUNAL

Appeal of:
EMPLOYEE -**Appellant**

Case No.
RP1284/2009
MN580/2010

against

EMPLOYER
-**Respondent**

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. Hurley

Members: Mr. W. O'Carroll
Ms. S. Kelly

heard this appeal at Limerick on 28th May 2010

Representation:

Appellant: Ms. Angela Sciascia, Citizens Information, Weigh House,
Market Yard, Newcastle West, Co. Limerick

Respondent: Mr. K of the company.

The decision of the Tribunal was as follows:

The appellant's representative sought to amend the T1A form to include a claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. Mr. K of the respondent company did not object to this application and the Tribunal amended the T1A form to include a claim under the Acts.

Mr. K of the respondent company conceded that the appellant had an entitlement to a redundancy payment. The company had four employees. Two of the four employees were paid their redundancy but due to financial difficulties the company was unable to pay the appellant and another employee their redundancy payments.

The appellant's representative stated that the appellant had received notice of his redundancy on the 30th May 2008. As the appellant's employment terminated on the 20th June 2008, he had an entitlement to a further three weeks pay, given his length of service.

Determination:

The Tribunal is satisfied that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth:	12 th June 1971
Date of Commencement:	24 th March 1995
Date of Termination:	20 th June 2008
Gross Weekly Pay:	€641.28

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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

The Tribunal finds the appellant is entitled to the sum of €1,923.84 (being the equivalent of three weeks pay) as his outstanding entitlement under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)