

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

- appellant

MN1678/09

WT722/09

RP1959/09

Against

EMPLOYER

- respondent

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. M. Levey B.L.

Members: Mr M. Noone
Ms M. Finnerty

heard this appeal at Dublin on 21st June 2010.

Representation:

Appellant: In person.

Respondent: In person

The decision of the Tribunal was as follows:-

Determination:

The respondent conceded that a redundancy situation existed in the company. However, she contended that she was unable to pay the appellant any of his entitlements.

Based on the appellant's uncontested evidence, the Tribunal finds that the appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth: 19th April 1963
Date of Commencement: 15th October 2006
Date of Termination: 20th February 2009
Gross Weekly Wage: €733.79

The Tribunal awards the appellant €1467.58 being the equivalent of two weeks pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal also awards the appellant €440.10 under the Organisation of Working Time Act, 1997.

It should be noted that a statutory weekly ceiling of €600.00 currently applies to payments from the Social Insurance Fund.

These awards are made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

