

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - Appellant

CASE NO.
RP1973/2009

against

EMPLOYER – Respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. N. Russell

Members: Mr. J. Horan
Mr. T. Kelly

heard this appeal at Carlow on 27th July 2010

Representation:

Appellant: In Person

Respondent: In Person

The decision of the Tribunal was as follows:

Mr. S of the respondent submitted to the Tribunal that the appellant did not qualify for a redundancy payment, as he did not have 104 weeks continuous service. Mr. S outlined that the appellant's service had been broken by virtue of a period of lay-off, which commenced in November 2008 and continued until a date in January 2009. The appellant received one full week's work at the end of the lay-off but after that he was placed on short time, working three days a week until his position was made redundant on the 10th April 2009.

Determination:

The Tribunal finds that the period of lay-off cannot be considered a break in the appellant's service in relation to the continuity of employment. The Tribunal is satisfied that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 11th January 1979
Date of Commencement: 12th January 2007

Date of Termination: 10th April 2009
Gross Weekly Pay: €520.00

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

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)