

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE –*Appellant*

CASE NO.  
RP334/2010  
MN1703/2009

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: Ms. D. Donovan B.L.

Members: Mr. J. Horan  
Mr. F. Dorgan

heard this appeal at Carlow on 29th July 2010

#### **Representation:**

Appellant: In Person

Respondent: In Person

#### **The decision of the Tribunal was as follows:**

The appellant gave evidence that he was made redundant on the 24<sup>th</sup> June 2009 as there was no further work. The respondent conceded that the appellant's employment terminated by reason of redundancy. Due to the nature of the work the respondent was unable to provide the appellant with a specific date when his employment would terminate. It was hoped that new work would begin but this did not transpire. It was also the respondent's case that there was a break in the appellant's service in 2007 which affected his entitlement to a redundancy payment.

#### **Determination:**

The Tribunal having carefully considered the evidence adduced at the hearing finds that the break in the claimant's service in 2007 falls to be treated as authorised by the respondent and thus reckonable. The Tribunal finds 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: 12<sup>th</sup> March 1954  
Date of Commencement: 1<sup>st</sup> July 2005  
Date of Termination: 24<sup>th</sup> June 2009  
Gross Weekly Pay: €547.65

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 that the appellant is entitled to the sum of €1,095.30 (being the equivalent of two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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