

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

appellant

RP614/2010

against

EMPLOYER

respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms D. Donovan BL

Members: Mr J. Flanagan
Mr A. Butler

heard this appeal at Dublin on 23rd August 2010

Representation:

Appellant(s): Ms. Aoife Marrinan, Richard Grogan & Associates,
Solicitors, 16/17 College Green, Dublin 2

Respondent(s): Mr. Tim O'Connell, Ibec, Confederation House, 84/86 Lower
Baggot Street, Dublin 2

The decision of the Tribunal was as follows:-

Respondent's Case

The general manager of the respondent told the Tribunal that the respondent provided a service to Aer Lines in Dublin and Belfast. The respondent employed specialist drivers, loaders, chefs, cleaning and warehouse staff and roles were quite interlinked. Some employees did the same job all year. At present the respondent has one hundred and sixty five employees. In 2009 the respondent had to adjust its workforce to suit the needs of the respondent. The appellant was an operator/driver and loaded catering supplies on to the appropriate galley in the aircraft. Fourteen operator/drivers were employed in summer and ten in winter. The appellant was let go on 19 September 2009. The level of business had declined and if the respondent did not address this matter the respondent would become insolvent.

In cross-examination he stated that the appellant's position became redundant.

Appellant's Case

The appellant told the Tribunal that he commenced employment with the respondent on 5 June 2007 and his employment terminated on 19 September 2009. His gross weekly pay was €532.82.

Determination

The Tribunal finds that a redundancy situation existed and 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	11 December 1965
Date employment commenced	5 June 2007
Date Employment ceased	19 September 2009
Gross weekly pay	€532.82

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

