<div align="center">**EMPLOYMENT APPEALS TRIBUNAL**</div>

APPEAL(S) OF: CASE NO.
EMPLOYEE –*Appellant*   RP2890/2009
                                                                       MN2332/2009

against
EMPLOYER -*Respondent*

under

<div align="center">**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005</div>

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 30th July 2010

Representation:

Appellant: In Person

Respondent: A director of the company

The decision of the Tribunal was as follows:

The director of the company conceded that the appellant's employment terminated by reason of redundancy. The appellant was absent on sick leave for a period of time prior to being made redundant.

The appellant's employment terminated on the 24th July 2008. His T1A form was submitted to the Tribunal on the 9th November 2009. The appellant applied to the Tribunal to extend the time limit for appeals under the Acts, as he had submitted the appeal once he became aware of his redundancy entitlements.

Determination:

The Tribunal extended the time limit for the appeal from 52 weeks to 104 weeks as set down by the Acts.

The Tribunal being satisfied that a redundancy situation existed in relation to the termination of the appellant's employment, 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: 24th January 1980
Date of Commencement: 7th March 2002
Date of Termination: 24th July 2008
Gross Weekly Pay: €569.68

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

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, must fail, as the appellant was not able and willing to work during the notice period.

Sealed with the Seal of the

Employment Appeals Tribunal

This   _____

(Sgd.) _____
    (CHAIRMAN)