

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

appellant

RP2551/2009

Against

EMPLOYER

EMPLOYER

respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms F. Crawford B.L.

Members: Mr D. Peakin
Mr P. Trehy

heard this appeal at Dublin on 17th August 2010

Representation:

Appellant(s): The appellant in person

Respondent(s): In person

The decision of the Tribunal was as follows:-

Appellant's Case

The appellant told the Tribunal that he commenced his apprenticeship with the respondent in August 2005. He was let go on 7 August 2009 and he had twelve weeks of his apprenticeship to complete. He had to find another employer to complete his apprenticeship. When he was told that he was being let go he did not know what to say to his employer. He was being made redundant and he did not have a conversation with his employer about this. He presumed he was let go due to lack of work. He processed an appeal to FAS to complete his apprenticeship some months after he was let go.

Respondent's Case

AMcL told the Tribunal that the appellant was let go because he did not pass his examinations and he had not fulfilled his apprenticeship criteria. The appellant had to repeat his examinations, he failed his last examination and there was no place for him to go. He was not aware that there was an appeals process in FAS whereby the appellant could complete his apprenticeship. As far as he could recall he explained to the appellant on the 7 August 2009 why he was being let go and he did not mention redundancy to the appellant. As far as he was concerned the respondent had ceased operating.

Determination

The appellant's employment ceased, as he did not pass his examinations and his appeal under the Redundancy Payments Acts, 1967 to 2007 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

