

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

RP1755/2009

against
EMPLOYER
under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms C. Egan B.L.

Members: Mr T. Gill
Ms. R. Kerrigan

heard this appeal at Castlebar on 12th May 2010

Representation:

Appellant(s) :

Mr. Brendan Boyle, Citizens Information Centre, Teeling Street, Ballina, Co Mayo

Respondent(s) :

The respondent in person

The decision of the Tribunal was as follows:-

Appellant's case

The appellant commenced employment with the respondent on 13/09/04 and embarked on an apprenticeship shortly thereafter. He completed the apprenticeship and became a qualified electrician on 03/02/09. A copy of FETAC certificate, showing the date of award as 03/02/09, was submitted to the Tribunal.

The date of termination of his employment was 06/03/09 and therefore the appellant held that he was entitled to a redundancy lump sum payment as he was employed for more than four weeks after the date he became qualified.

Respondent's case

The respondent stated that they had documentation from Fás confirming that the certificate was

produced on 09/02/09. However they did not produce this letter to the Tribunal. They had not seen the actual certificate until the day of the hearing and as far as the respondent was concerned the date of qualification was 09/02/09 according to Fás. However they did agree that the date of qualification according to the FETAC cert was 03/02/09.

Determination

Having considered the evidence presented to it the Tribunal is satisfied that the appellant qualified as an electrician on 03/02/09 and his employment terminated by way of redundancy on 06/03/09. As he was employed for more than four weeks after qualification the Tribunal finds that the appellant is entitled to a redundancy lump sum payment as per the criteria below in accordance with the Redundancy Payments Acts, 1967 To 2007.

DOB	24 th Nov. 1983
Commencement Date	13 th Sept. 2004
Date notice received	20 th Feb. 2009
Termination date	6 th March 2009
Gross pay	€943.46 p.w.

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that any payment made from the Social Insurance Fund is subject to a maximum of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

