

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

EMPLOYEE - *appellant*

CASE NO.
MN1928/2009
RP2325/2009

WT880/2009

against

EMPLOYER - *respondent*

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 to 2005
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms C. Egan B.L.

Members: Mr P. Pierson
Mr O. Nulty

heard this appeal at Longford on 7th September 2010

Representation:

Appellant(s) : John J Quinn & Co, Solicitors, Earl Street, Longford

Respondent(s) : Connellan, Solicitors, 3 Church Street, Longford, Co. Longford.

The decision of the Tribunal was as follows:-

Determination

The claim under the Minimum Notice and Terms of Employment Acts 1973 to 2005 was withdrawn during the course of the hearing.

It was acknowledged by both parties that a genuine redundancy situation existed following the termination of the appellant's apprenticeship. The Tribunal is satisfied that that the respondent retained the appellant's services for more than one month following the termination of his period of

apprenticeship. Accordingly the Tribunal finds that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:

Date of Birth:	18 May 1982
Date of commencement of employment:	9 August 2004
Date of termination of employment:	12 September 2008
Gross Weekly Pay:	€600

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

There was no evidence adduced in relation to the claim under the Organisation of Working Time Act 1997. Accordingly this claim fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

