

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE
- *appellant*

CASE NO.
RP2965/2009
MN2371/2009

against
EMPLOYER - *respondent*

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K. T. O'Mahony B.L.
Members: Mr T. Gill
Mr T. Kelly

heard this appeal at Nenagh on 27th September 2010

Representation:

Appellant(s) : In person

Respondent(s) : In Person

The decision of the Tribunal was as follows:-

Summary of Evidence

The Tribunal heard evidence that the appellant worked continually from the commencement of his employment until 19 December 2008. He was placed on temporary lay-off and returned in March 2009. However, on his return in March 2009 he was only provided with intermittent work, sometimes only working one day per week. The appellant eventually served an RP9 form on the respondent on 30 October 2009.

Determination

The Tribunal, having carefully considered the evidence is satisfied that the appellant was dismissed by reason of redundancy. Accordingly the Tribunal awards him a redundancy lump sum payment

under the Redundancy Payments Acts 1967 to 2007 based on the following information:

Date of Birth:	15 March 1954
Date of commencement of employment:	30 August 1999
Date of termination of employment:	19 December 2008
Gross weekly pay:	€526.00

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

The claimant having served an RP9 form served notice to his employer that he was making a claim for a redundancy payment. Accordingly the claim under the Minimum Notice and Terms of Employment Acts 1973 to 2005 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

