

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE –**Appellant**

RP1129/2010

against

MN792/2010

EMPLOYER –**Respondent**

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. D. Donovan

Members: Mr. J. Hennessy
Ms. S. Kelly

heard this appeal at Clonmel on 24 January 2011

Representation:

Appellant:

Mr. Pat Naill, 15 Albert Street, Clonmel, Co. Tipperary

Respondent:

In person

The determination of the Tribunal was as follows:

Determination:

There was a dispute between the parties regarding the appellant's starting date as an employee as the respondent contended that, initially, the appellant worked on a self-employed basis such that he did not have the required two years' service in order to qualify for a redundancy lump sum payment. The Tribunal preferred the evidence of the appellant in this regard and 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	14 June 1973
Employment commenced	12 June 2006
Employment ended	25 September 2009
Gross weekly pay	€500-00

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

The Tribunal further awards €1,000-00, being two weeks' pay, under the Minimum Notice Acts, 1973 to 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)