

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE – **Appellant**

RP980/2010

against

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. V. Gates.

Members: Mr. F. Cunneen  
Ms. M. Maher

heard this appeal at Dublin on 8 December 2010

#### **Representation:**

Appellant:

Ms. Aoife Merriman, Richard Grogan & Associates,  
16-17 College Green, Dublin 2

Respondent:

Mr. David O'Shaughnessy, Director of the respondent

The determination of the Tribunal was as follows:

#### **Determination:**

The only issue between the parties was the continuity of employment of the appellant when a transfer of undertakings was effected early during the employment. The Transfer of Undertakings Regulations were brought to the attention of the respondent whereupon the respondent conceded liability under the Redundancy Payments Acts. Accordingly, the Tribunal 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	1 October 1983
Employment commenced	6 March 2007
Employment ended	26 March 2009
Gross weekly pay	€485-00

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

It being accepted that notice pay had been received the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 was withdrawn

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)