

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM OF:**

**CASE NO.**

EMPLOYEE

- claimant

UD608/10

RP828/10

MN550/10

**Against**

EMPLOYER

- respondent

**under**

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005  
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007  
UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms D. Donovan BL

Members: Mr C. McHugh  
Mr A. Butler

heard this claim at Wicklow on 21st April 2011.

**Representation:**

Claimant: Mr. Peter Leonard BL, instructed by Richard Grogan & Associates, Solicitors,  
16 & 17 College Green, Dublin 2

Respondent: In person

The determination of the Tribunal was as follows:-

At the outset of the hearing the claim under the Unfair Dismissals Acts, 1977 to 2007 was withdrawn.

**Determination:**

The respondent conceded that a redundancy situation applied in this case.

The Tribunal finds that the appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth: 27<sup>th</sup> August 1962  
Date of Commencement: 20<sup>th</sup> August 2002  
Date of Termination: 21<sup>st</sup> August 2009  
Gross Weekly Wage: €665.00

It should be noted that a ceiling of €600.00 currently applies to payments from the Social Insurance Fund.

This award is made subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

The claimant's evidence was that he worked for two to three weeks in August 2009 and that he was out sick for part of August. In the circumstances, the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 fails.

Sealed with the Seal of the  
Employment Appeals Tribunal

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