

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE –**Appellant**

RP427/2010

against

EMPLOYER–**Respondent**

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. Hurley

Members: Mr. B. O'Carroll
Ms. S. Kelly

heard this appeal at Castleconnell on 23 May 2011

Representation:

Appellants:

In person

Respondent:

In person

The determination of the Tribunal was as follows:

Determination:

The appellant was employed from September 2002 as a plumber and the employment was uneventful until April 2009 when, because of a downturn in business, the respondent put the appellant on to reduced working hours which resulted in him working a two or three day week. This continued until 23 September 2009 when the appellant was laid off. On 30 November 2009 the appellant served the respondent with form RP9 thereby giving notice of his claim for a redundancy lump sum payment having been laid off for in excess of four consecutive weeks. The respondent did not give the appellant any counter notice.

The Tribunal is satisfied 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	12 May 1975
Employment commenced	16 September 2002
Employment ended	30 November 2009
Gross weekly pay	€700-00

There was a period of non-reckonable service, by reason of lay-off from 23 September 2009 until 30 November 2009

This award is made subject to the appellant having been in insurable employment under the Social Welfare Consolidation Act, 2005 during the relevant period. It should be noted that payments from the social insurance fund are limited to a maximum of €600-00 per week

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)