

EMPLOYMENT APPEALS TRIBUNAL

CORRECTING ORDER

APPEAL OF:
EMPLOYEE

CASE NO.
RP1739/2010, MN1240/2010
WT528/2010

against

EMPLOYER

Under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Flanagan B.L.

Members: Mr G. Andrews
Mr M. O'Reilly

heard this appeal at Wicklow on 28th April 2011

Representation:

Appellant : In person

Respondent: No representation listed

The decision of the Tribunal was as follows:

This correcting Order should be read in conjunction with RP1739/2010 signed on 29th April 2011

The non-reckonable service should read 21st August 2009 to 31st December 2009.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

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ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr G Andrews
Mr M. O'Reilly

heard this appeal at Wicklow on 28th April 2011

Representation:

Appellant: In person

Respondent: No representation or appearance

The decision of the Tribunal was as follows:

Determination:

The Tribunal is satisfied that the respondent was properly notified of this hearing. Neither the respondent nor a representative on its behalf appeared for this hearing.

The appellant told the Tribunal he was placed on lay-off on 21st August 2010. He was then informed by the respondent on 31st December 2010 that he was being made redundant that day. The Tribunal is satisfied that his employment was terminated by way of redundancy. Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007 is allowed and the appellant is awarded a statutory lump sum under those Acts, and based on the following:

Date of Birth: 30th October 1978

Date of Commencement: 2nd January 2006
Date of Termination: 19th January 2010
Non-reckonable Service: 21st August-31st December 2010
Gross Weekly Wage: €400.00

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

The appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and the Organisation of Working Time Act, 1997 are allowed and the appellant is awarded €800.00 and €400.00 respectively under those Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)