

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE  
WT975/2010

RP2969/2010

against  
EMPLOYER  
under

### **ORGANISATION OF WORKING TIME ACT, 1997 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony B.L.  
Members: Ms. M. Sweeney  
Mr. J. Flavin

heard this appeal at Cork on 27th May 2011

Representation:

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Appellant:

Mr Jan Jaroslaw Potocki, Polish English Translation,  
"Pilawa", Office 19, 21-23 Oliver Plunkett Street, Cork

Respondent:

Mr Robert Baker, O'Donovan Baker, Solicitors, 15 South Mall, Cork

The claim under the Organisation of Working Time Act, 1997 was withdrawn at the outset.

It was common case that the appellant commenced employment with the respondent on 1<sup>st</sup> October 2004 and that he was on sick leave from 18<sup>th</sup> April 2009 until he was made redundant on 11<sup>th</sup> February 2011. His gross pay at that time was €588.00 per week.

The representative for the liquidator stated that a form RP50 had been completed on behalf of the appellant and was currently being processed by the Redundancy Payments Section of the Department of Jobs, Enterprise and Innovation.

### **Determination**

The claim under the Organisation of Working Time Act, 1997 was withdrawn at the outset. Having considered the evidence adduced the Tribunal awards the appellant a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	16 <sup>th</sup> November 1952
Commencement Date	1 <sup>st</sup> October 2004
On sick leave	18 <sup>th</sup> April 2009 to 11 <sup>th</sup> February 2011
Termination date	11 <sup>th</sup> February 2011
Gross pay	€588.00 per week

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

