

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP1524/2010

WT454/2010

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. B. Glynn

Members: Mr. P. Pierson

Ms. H. Murphy

heard this appeal at Roscommon on 23rd March 2011

Representation:

Appellant:

The appellant in person

Respondent:

Mr Fintan O'Reilly, Suite 5, Gateway Centre, Monkstown, Athlone

The respondent stated that a redundancy situation occurred and that he made the appellant redundant on 23rd October 2010. However the respondent said that he was unable to pay the appellant due to financial constraints.

Furthermore the respondent stated that all due holidays had been paid to the appellant and the appellant agreed that this was the case.

It was common case that the appellant commenced employment with the respondent on 31st July 2006 and that the employment ended due to redundancy on 6th January 2010. It was also agreed that the appellant was paid €560.00 gross per week.

Determination

The claim under the Organisation Of Working Time Act, 1997 is dismissed, as it was common case that the appellant was paid all of his due holidays.

The Tribunal awards the appellant a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	4 th February 1980
Commencement Date	31 st July 2006
Date notice received	N/A
Termination date	6 th January 2010
Gross pay	€560.00 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)

