

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:  
EMPLOYEE

CASE NO.  
RP2759/2009

MN2227/2009

WT1017/2009

*-appellant*

against

EMPLOYER  
under

*-respondent*

### 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: Ms. K. T. O'Mahony B.L.

Members: Mr. P. Casey

Mr D. Mc Evoy

heard this appeal at Tralee on 16th July 2010

#### Representation:

Appellant: Mr. Con Casey, Siptu, Connolly Hall,  
Upper Rock Street, Tralee, Co Kerry

Respondent: No appearance or representation

#### **Determination:**

The Tribunal is satisfied that the respondent was duly notified of the hearing in this case.

The Tribunal is satisfied that the appellant was dismissed by reason of redundancy. Accordingly, the Tribunal determines that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on his continuous service and the following information:

Date of Birth:	3 <sup>rd</sup> July 1963
Date of commencement of employment:	27 <sup>th</sup> June 2001
Date of termination of employment:	1 <sup>st</sup> May 2009
Gross weekly pay:	€726.00

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. Please note that a ceiling of €600.00 per week applies to

payments from the social insurance fund.

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, succeeds and the Tribunal awards the claimant the sum of €2,904.00, this being four weeks' gross pay as compensation in lieu of notice.

The claim under the Organisation of Working Time Act, 1997 succeeds and the Tribunal awards the sum of €580.80, this being compensation in respect of 4 days' annual leave.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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

