

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE  
- *appellant*

CASE NO.  
  
MN1367/2010  
  
WT588/2010  
  
RP1926/2010

against  
EMPLOYER - *respondent*

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J. Fahy BL  
Members: Mr. W. O'Carroll  
Ms H. Henry

heard this appeal at Galway on 18th November 2011

Representation:  
\_\_\_\_\_

Appellant(s) : Mr Frank McDonagh, Frank McDonagh & Co, Shangort, Galway

Respondent(s) : Patrick J Daly & Co, Solicitors, 3rd Floor, Lismoyle House,  
Merchants Road, Galway

#### **Preliminary Point**

The claim under the Organisation of Working Time Act was withdrawn by the appellant's representative at the commencement of the hearing.

#### **Determination**

The respondent having conceded liability in this regard, the Tribunal finds that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:

|                                     |                  |
|-------------------------------------|------------------|
| Date of Birth:                      | 3 May 1954       |
| Date of commencement of employment: | 1 January 2000   |
| Date of termination of employment:  | 30 November 2009 |
| Gross weekly pay:                   | €463.18          |

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

The Tribunal also awards the appellant the sum of €1852.72 being the equivalent of four weeks pay under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

