

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE

UD2454/2010

RP3317/2010

against  
EMPLOYER  
under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. M. McAveety  
Members: Mr. P. Pierson  
Mr. O. Nulty

heard this claim at Longford on 21st September 2011

Representation:

Claimant:

Ms Aneta Cytacka, Employment Development Information Centre,  
11 A2 Mastertech Business Park, Athlone Road, Longford, Co Longford

Respondent: The respondent in person

### **Background**

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At the outset the claimant withdrew his claim under the Unfair Dismissals Acts, 1977 to 2007.

It was common case that the claimant commenced employment with the respondent on 8<sup>th</sup> May 2006. He was placed on temporary lay-off from 5<sup>th</sup> September 2009 and then made redundant on 8<sup>th</sup> November 2009 due to a downturn in business.

The claimant had been employed in a full time capacity up to the end of 2007 and was subsequently employed on a short time basis. The decision to place the claimant on reduced hours was made by the respondent and it was not at the behest of the claimant.

Documentary evidence was submitted to the Tribunal in respect of earnings and PRSI contributions along with details of period of lay-off.

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### **Determination**

Having considered the evidence adduced the Tribunal is satisfied that the claimant's employment was terminated due to redundancy and awards him a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	14 <sup>th</sup> January 1957
Commencement Date	8 <sup>th</sup> May 2006
Lay-off period	5 <sup>th</sup> September 2009 to 8 <sup>th</sup> November 2009
Termination date	8 <sup>th</sup> November 2009
Gross pay	€423.80 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)

