

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE –**Claimant**

RP1816/2010
MN1283/2010
WT544/2010

against

EMPLOYER - **Respondent**

under

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: Mr T. Taaffe

Members: Ms J. Winters
Ms A. Moore

heard these claims at Cavan on 25 November 2011

Representation:

Claimant:

In person

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

Determination:

At the outset the claim under the Organisation of Working Time Act was withdrawn.

Having received a written concession from the respondent in regard to the claim under the Redundancy Payments Acts the Tribunal finds that the appellant was dismissed by reason of redundancy and, accordingly, is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the criteria set out in the following schedule

Date of Birth	8 May 1977
Employment commenced	8 June 1997
Employment ended	15 May 2010
Gross weekly pay	€346 -00

There was a period of non-reckonable service due to lay-off from 15 May 2009 until the end of the employment. This award is made subject to the appellant having been in insurable employment under the Social Welfare Consolidation Act, 2005 during the relevant period.

A claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 does not arise in circumstances where a lump sum payment is claimed under the Redundancy Payments Acts as a result of lay-off.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)