

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:  
EMPLOYEE

CASE NO.  
RP263/2011

against

EMPLOYER  
under

### **REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr. L. Tobin  
Mr. J. Dorney

heard this appeal at Wicklow on 1st November 2011

### **Representation:**

Appellant : Mr Pat Brady, Workplace Solutions, 56 St Columbus Avenue, Milltown, Dublin 14

Respondent : No representation listed

The decision of the Tribunal was as follows:

In its submission the respondent accepted that it made the appellant redundant. There was general agreement between the parties on the circumstances and dates related to this redundancy event. A significant point of disagreement was the appropriate gross weekly wage to be used in this case as periods of short-time working and lay off were a feature of this case. The appellant's objection to at least some of this reduced working time was noted. Having considered the submissions the Tribunal finds, in conjunction with section 13 of the 1979 Act, that a redundancy situation existed in this case and awards the appellant a statutory lump sum under the Redundancy Payments Acts, 1967 to 2007, and based on the following:

Date of Birth: 25 March 1960  
Date of Commencement : 11 October 1999  
Date of Termination: 30 July 2010  
Non Reckonable Service: 28 June 2010 to 30 July 2010  
Gross Weekly Wage : €431.00

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

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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

