

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE  
- *Appellant*

**CASE NO.**  
RP251/2011  
MN209/2011

Against

EMPLOYER - *Respondent*  
under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007  
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms P. McGrath BL  
Members: Mr M. Carr  
Mr O. Nulty

heard this appeal at Mullingar on 27th January 2012

**Representation:**

Appellant(s) :Mr Seamus McNamee, Information Centre, Friars Mill Road,  
Mullingar, Co Westmeath

Respondent(s) : In person

The decision of the Tribunal was as follows:-

**Determination**

The Tribunal finds that reasonable circumstances existed to extend the period of the appeal application. The Tribunal heard evidence of a lay off being implemented in December 2008. The employer hoped to re-open the business at a time in the future but this never happened. The Tribunal accepts that the employee was notified that his employment was terminated on the 1<sup>st</sup> March 2009.

The appellant waived his entitlement to minimum notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal awards the appellant a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria:

Date of Birth: 28 September 1956  
Date of Commencement: 1 February 1992

Date of Termination: 1 March 2009  
Gross Pay: €550.00

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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