

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE –**Claimant**

UD1430/2010

RP1947/2010

MN1222/2010

WT593/2010

against

EMPLOYER - **Respondent**

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
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. Ryan

Members: Mr M. Carr
Ms A. Moore

heard these claims at Cavan on 24 November 2011

Representation:

Claimant:

Ms Anne McGarry, A.B. O'Reilly, Dolan & Co. Solicitors,
27 Bridge Street, Cootehill, Co. Cavan

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

Determination:

At the outset the claims under both the Unfair Dismissals Acts and the Organisation of Working Time Act were withdrawn.

Being satisfied that the respondent was properly on notice of the hearing, the Tribunal finds, based on the uncontroverted evidence 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 June 1977
Employment commenced	23 February 2006
Employment ended	17 May 2010
Gross weekly pay	€410 -00

There was a period of non-reckonable service due to lay-off from 15 December 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)