

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP3279/2010

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. D. Winston

Mr. F. Keoghan

heard this appeal at Dublin on 23rd February 2012

Representation:

Appellant:

Ms Barbara Sherry, Sherry McCarthy Solicitors,  
2 Green Park Park, Orwell Road, Dublin 14

Respondent:

Mr Pat Brady, Employment Law Consultant,  
56 St Columbanus Avenue, Milltown, Dublin 14

### **Background**

It was common case that the appellant commenced employment with the respondent on 17<sup>th</sup> October 1998 and was made redundant on 24<sup>th</sup> September 2010. At the date of redundancy the appellant was earning €838.11 gross per week. There were two periods of lay-off one from 23<sup>rd</sup> July 2010 to 16<sup>th</sup> August 2010 and the other from 4<sup>th</sup> September 2010 to 17<sup>th</sup> September 2010.

### **Determination**

The Tribunal finds that the appellant was dismissed by reason of redundancy and awards him €14,808.00 under the Redundancy Payments Acts 1967 to 2007 as per the criteria set out below.

DOB	13 <sup>th</sup> November 1973
Commencement Date	17 <sup>th</sup> October 1998
Period of lay off	23 <sup>rd</sup> July 2010 to 16 <sup>th</sup> August 2010 4 <sup>th</sup> September 2010 to 17 <sup>th</sup> September 2010
Termination date	24 <sup>th</sup> September 2010
Gross pay	€838.11 per week

A ceiling of €600.00 applies to any payments from the Social Insurance Fund and this award is

subject to the appellant having been in employment which is insurable for all purposes under the Social Welfare Consolidation Act, 2005.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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