

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE  
MN1282/2010

- *appellant*

CASE NO.  
RP1812/2010  
WT543/2010

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. P. Wallace

Members: Mr G. Andrews  
Mr F. Dorgan

heard this appeal at Limerick on 17th February 2012

Representation:

Appellant: Limerick Citizens Information Service, 54 Catherine Street, Limerick  
Respondent: In person

The decision of the Tribunal was as follows:

The Tribunal heard evidence from both the appellant and the respondent. While the respondent conceded that a redundancy situation existed the date of termination was in dispute. The respondent also accepted that he had not paid the appellant holiday pay during 2009. The appellant explained that as work was not forthcoming, he had dropped the van back to the respondent's yard.

**Determination**

The Tribunal carefully considered the evidence heard from both parties at the hearing. The Tribunal awards the appellant a redundancy lump sum based on the following information:

Date of Birth: 7<sup>th</sup> March 1984

Date of Commencement: 18<sup>th</sup> June 2001  
Date of Termination: 4<sup>th</sup> December 2009  
Gross Weekly Wage: €600.00

The following lay off periods are to be taken in to account when calculating redundancy.  
24<sup>th</sup> January 2009 to 14<sup>th</sup> May 2009  
15<sup>th</sup> August 2009 to 27<sup>th</sup> October 2009

The Tribunal also award the appellant the amount of €1389.30 for public holidays and holiday pay under the Organisation of Working Time Act 1997.

After considering the evidence heard at the hearing the Tribunal dismisses the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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