

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE *-Appellant*

CASE NO.
RP3132/2010
MN2270/2010
WT1034/2010

against
EMPLOYER

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 D. Mac Carthy S C

Members: Mr J. Hennessy
Mr F. Dorgan

heard this appeal at Wexford on 24th April 2012

Representation:

Appellant: In person

Respondent: A director of the company

The decision of the Tribunal was as follows:

The appellant's hours were reduced and he resigned. Such resignation is deemed to be a dismissal under Section 9(1)(c) of the Act of 1967.

The appellant is entitled to a redundancy payment based on:

Date of Birth:	8 November 1982
Service from:	20 August 2007 to 16 October 2009
Non-reckonable service:	7 August 2009 to 31 August 2009
	4 September 2009 to 22 September 2009
	25 September 2009 to 7 October 2009
Normal weekly remuneration:	€573.69
Amount of redundancy payment:	€2,879.92

This award is subject to the appellant having been in employment which is insurable for all

purposes under the Social Welfare Consolidation Act 2005.

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, fails as the employment was terminated by the employee.

The claim for arrears of holiday pay under the Organisation of Working Time Act, is withdrawn

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)