

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE *-appellant*

CASE NO.
RP30/2011

Against

EMPLOYER *-respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms D. Donovan B.L.

Members: Mr J. Hennessy
Mr T. Kelly

heard this appeal at Kilkenny on 13th April 2012

Representation:

Appellant: Mr Thomas A Walsh, Thomas A Walsh & Company, Solicitors,
23 James Street, Kilkenny

Respondent: In Person

Background

The appellant commenced employment on the 21st of October 1994. The above named respondent took over the business from the original owner in 2001. The fact that a redundancy situation existed within the respondent is not in dispute in this case.

Determination

Based on the evidence adduced the Tribunal are satisfied that a Transfer of Undertaking occurred in 2001, consequently the appellant has continuity of service with the respondent for the purpose of redundancy. The Tribunal finds that he is entitled to a redundancy lump sum under the Redundancy Payments Acts 1967 to 2007 based on the following;

Date of Birth:	21 January 1977
Date of Commencement:	21 October 1994
Date of Termination:	26 December 2008
Gross Weekly Wage:	€465.00

This award under the Redundancy Payments Acts is made subject to the appellant's fulfilling current social welfare requirements in relation to PRSI contributions.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)