

## EMPLOYMENT APPEALS TRIBUNAL

Claim of:  
EMPLOYEE                    -*Claimant*

Case No.  
UD309/2011

RP362/2011

MN302/2011  
WT89/2011

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: Ms K.T. O'Mahony B.L.

Members: Mr J. Browne  
              Ms S. Kelly

heard this claim at Wexford on 3rd July 2012

#### **Representation:**

Claimant:                    In Person

Respondent:                 The Tribunal was informed that the respondent is deceased

#### **The determination of the Tribunal was as follows:**

The claimant stated that he was placed on a three day week on the 29<sup>th</sup> March 2010. In the latter part of June 2010 the claimant was informed by his employer that there was no further work available.

#### **Determination:**

The Tribunal finds that the claimant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth:                22 July 1951  
Date of Commencement:    11 December 1999

Date of Termination: 27 June 2010

Gross Weekly Pay: €620.00

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

This award is made subject to the claimant having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal finds that the claimant is entitled to the sum of €3,720 (being the equivalent of six weeks gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal finds that the claimant is entitled to the sum of €1,240 (being the equivalent of ten days gross pay) under the Organisation of Working Time Act, 1997.

The Tribunal dismisses the claim under the Unfair Dismissals Acts, 1977 to 2007, having found that a redundancy situation existed.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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