

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

EMPLOYEE

UD2101/2010

MN2051/2010

RP859/2012

against

EMPLOYER

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. D. Donovan B.L.

Members: Mr. J. Hennessy
Ms. S. Kelly

heard this claim at Waterford on 11th July 2012

Representation:

Claimant:

Mr. David Burke, David Burke & Co, Solicitors,
24 Mary Street, Dungarvan, Co Waterford

Respondent:

Joseph P Gordon & Co, Solicitors, Burgery, Dungarvan, Co. Waterford

Background

At the outset the parties applied to have the claims expanded to include an appeal under the Redundancy Payment Acts, 1967 to 2007 and this was granted by the Tribunal. The claimant then withdrew his claims under the Unfair Dismissals Acts, 1977 to 2007 and the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

It was common case that the appellant commenced employment with the respondent on 2nd January 2007 and was let go due to redundancy on 15th August 2010. At the time of termination of employment the appellant was earning €479.62 gross per week. No redundancy was paid to

the appellant.

Determination

The Tribunal is satisfied that the appellant's employment was terminated due to redundancy and awards him a redundancy lump sum as per the criteria below in accordance with the Redundancy Payments Acts, 1967 to 2007.

| | |
|----------------------|------------------------------|
| DOB | 4 th May 1956 |
| Commencement Date | 2 nd January 2007 |
| Date notice received | N/A |
| Termination date | 15 th August 2010 |
| Gross pay | €479.62 |

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)