

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE
- *Appellant*

CASE NO.
RP1157/2011

Against

EMPLOYER
- *Respondent 1*

EMPLOYER
- *Respondent 2*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr M. Noone
Mr. J. Dorney

heard this appeal at Wicklow on 11th July 2012

Representation:

Appellant: In Person

Respondent: Mr. James Doran, B.L., instructed by Mr Brian Crowe, Brian Crowe & Company, Solicitors, Newcourt, 177 Harold's Cross Road, Harold's Cross, Dublin 6

The decision of the Tribunal was as follows:-

The appellant's working week was reduced from three or four days down to one day and she worked for one day per week for four months until February 2011. She resigned with one months notice. This resignation is derived in law to be a dismissal under Section 9(1)(c) of the Act. The appellant's normal weekly remuneration would have been her wages before the reduction in her working week. The respondent conceded that a redundancy situation existed.

Determination

The appellant is entitled to a lumpsum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth: 15th August 1963
Date of Commencement: 10th January 2002
Date of Termination: 7th February 2011
Gross Pay: €480

This award is made subject to the appellant having been in employment which is insurable for all purposes under the relevant Social Welfare Acts.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)