

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

- appellant

MN974/2011

RP1182/2011

WT349/11

Against

EMPLOYER

- respondent

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms J. McGovern BL

Members: Mr R. Murphy
Mr. S. O'Donnell

heard this appeal at Dublin on 14th August 2012.

Representation:

Appellant: Mr. Paul McKnight, Felton McKnight, Solicitors, Church
Road, Greystones, Co Wicklow

Respondent: Joseph T. Mooney & Co., Solicitors, 23 Upper Mount Street,
Dublin 2

The decision of the Tribunal was as follows:-

Determination:

The Tribunal is satisfied that a redundancy situation applied in this case.

Having heard evidence from both parties the Tribunal finds that the appellant is entitled to a redundancy lump sum based on the following criteria:

Date of Birth: 31st May 1965
Date of Commencement: 3rd July 1997
Date of Termination: 3rd December 2010

Gross Weekly Wage: €709.72

The Tribunal awards the appellant €1,419.44 under the Organisation of Working Time Act, 1997.

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is dismissed.

It should be noted that a statutory weekly ceiling of €600.00 currently applied to payments from the Social Insurance Fund.

This award is made subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act, 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)