

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

- *claimant*

CASE NO.

RP1218/2011
MN998/2011

against
EMPLOYER

- *respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Fahy B.L.

Members: Mr T. Gill
Ms H. Henry

heard this appeal at Galway on 9th November 2012

Representation:

Appellant(s) : REP

Respondent(s) : In Person

Determination

The respondent having conceded liability in this regard, the Tribunal finds that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following information:

Date of Birth:	7 June 1975
Date of commencement of employment:	3 May 2005
Date of termination of employment:	9 February 2011
Gross weekly pay:	€320.98

The Tribunal is satisfied that the claimant was served with an RP 9 form on 8 February 2011 which placed him on temporary lay- off. The claimant gave evidence to the Tribunal that he refused to sign the RP 9 form. The Tribunal is satisfied that had he complied with the

requirements of the RP 9 form he would not have been entitled to minimum notice. Accordingly the claim under the Minimum Notice and Terms of Employment Acts 1973 to 2005 fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)