

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE - *appellant*

CASE NO.  
RP1480/2011  
MN1220/2011

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. Lucey  
Members: Mr G. Andrews  
Mr F. Dorgan

heard this appeal at Limerick on 27th November 2012

Representation:

Appellant(s) : Ms. Angela Sciascia, Citizens Information Service, Market  
Yard, Newcastle West, Co Limerick

Respondent(s) : In Person

### Summary of Evidence

The Tribunal heard evidence that the appellant was employed by the respondent company from August 2003 on a full-time basis. He continued working on a full-time basis until he was placed on a 3 day week in February 2009. The appellant remained working on a 3 day week basis until 15 October 2010 when the respondent had no more work to offer him. The Tribunal heard further evidence that the appellant was provided with his P45 in or around February 2011. The appellant gave evidence that he had requested his P60 at this time but instead received his P45. Witness for the respondent gave evidence that the P45 was sent in error at that time. The witness for the respondent confirmed that apart from a brief period in April 2011 the appellant did not work for the respondent company beyond 15 October 2010 as he had no work to offer the appellant.

## Determination

Based on the evidence adduced the Tribunal is satisfied that the appellant was dismissed from his employment by reason of redundancy and awards the appellant a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:

Date of Birth:	17 August 1964
Date of commencement of employment:	11 August 2003
Date of termination of employment:	15 October 2010
Gross weekly pay:	€550.00

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

The Tribunal also awards the appellant the sum of €2200.00, this sum being the equivalent of four weeks pay under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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