

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:  
EMPLOYEE *-claimant*

CASE NO.  
UD544/2011  
RP762/2011  
MN588/2011

Against

EMPLOYER *-respondent*

Under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. Wallace

Members: Ms M. Sweeney  
Mr F. Dorgan

heard this claim at Limerick on 6th December 2012

Representation:

Claimant: Mr. Mike McNamara, Building & Allied Trades Union,  
Mechanics Institute, Hartstonge Street, Limerick

Respondent: Mr. Anthony O’Gara instructed by, Sean O’Sullivan & Co., Chartered  
Accountants, & Registered Auditors, The Mall, Dingle, Co.Kerry

The claim under the Unfair Dismissals Acts, 1977 to 2007 was withdrawn at the outset.

### **Determination**

The respondent’s representative conceded that a redundancy situation existed. The Tribunal award the claimant a redundancy lump sum based on the following criteria;

Date of Birth:	28 October 1958
Date of Commencement:	20 April 1985
Date of Termination:	10 December 2010
Gross Weekly Pay:	€779.20

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. A statutory weekly ceiling of €600.00 applies topayments from the Social Insurance Fund.

The Tribunal award the claimant €6,233.60 being the equivalent of 8 weeks' pay in lieu of notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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