

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE

CASE NO.  
RP461/2012

against

EMPLOYER

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony BL

Members: Mr. J. Hennessy  
Mr. F. Dorgan

heard this appeal in Kilkenny on 11 February 2013

Representation:

\_\_\_\_\_

Appellant(s):

No legal or trade union representation

Respondent(s):

No attendance or representation

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 1 February 2002, ended by reason of redundancy on 9 April 2010. He was on a three-day week for five months prior to his dismissal but on almost a weekly basis he questioned the respondent about returning to a five-day week.

A hearing notice was sent to the respondent but no evidence was offered by or on behalf of the respondent at the hearing.

#### **Determination:**

Applying section 15 (2) (a) & (b) of the 1967 Act as amended by section 11 of the 1979 Act the Tribunal assesses the appellant's gross weekly pay at €597.71 for a five-day week.

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the appellant is

entitled to a redundancy lump sum based on the following details:

Date of birth:	30 September 1981
Date of commencement:	01 February 2002
Date of termination:	09 April 2010
Gross weekly pay:	€597.71

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

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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