

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

UD1181/2011

MN1266/2011

RP104/2013

Against

EMPLOYER

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. N. O'Carroll-Kelly BL

Members: Mr. C. Mchugh

Mr. J. Jordan

heard this claim at Wicklow on 25th January 2013

Representation:

Claimant:

The claimant in person

Respondent:

Mr Donald Reynolds, 12 Rockfield, Brittas Bay, Co. Wicklow

Background

At the outset the claimant withdrew his claim under the Unfair Dismissals Acts, 1977 to 2007.

The respondent agreed that the appellant's employment was terminated without notice due to redundancy and did not dispute his entitlement to a redundancy lump sum or minimum notice. However the respondent pleaded inability to pay due to financial constraints.

The respondent and appellant agreed that the dates of employment and the weekly rate of pay for the appellant were correct as per the criteria below.

Commenced employment on 5th July 1994. Ceased employment on 6th January 2011. Gross pay

prior to short time was €495.00 per week.

Determination

The Tribunal awards the claimant €3,960.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	29 th August 1955
Commencement Date	5 th July 1994
Date notice received	6 th January 2011
Termination date	6 th January 2011
Gross pay	€495.00

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that any payment made from the Social Insurance Fund is calculated on the basis of maximum earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)