

**CORRECTING ORDER**

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM OF:**

EMPLOYEE - claimant

**CASE NO.**

RP1282/11  
UD932/11  
MN1060/11  
WT388/11

EMPLOYER - respondent

**under**

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005  
ORGANISATION OF WORKING TIME ACT, 1997  
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 F. Cunneen  
Ms. E. Brezina

heard this claim at Naas on 28th November 2012

**Representation:**

Claimant: Mr. Martin T. Collins BL, instructed by Mackey O'Sullivan, Solicitors, 10 Merrion Square, Dublin 2

Respondent: Mr. Joe Bolger, ESA Consultants, The Novum Building, Clonsaugh Industrial Estate, Dublin 17

The determination of the Tribunal was as follows:

**Determination:**

This Order corrects the original Order dated 30<sup>th</sup> November 2012 and should be read in conjunction with that Order.

The claimant's gross weekly wage should have read €461.54 and not €185.36 as originally

stated.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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

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At the outset of the hearing the claims under the Unfair Dismissals Acts, 1977 to 2007, the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and the Organisation of Working Time Act 1997 were withdrawn.

The determination of the Tribunal was as follows:-

**Determination:**

The respondent conceded that a redundancy situation applied in this case.

Having heard evidence from both parties in this case the Tribunal finds that the

claimant's employment was terminated by way of redundancy. The Tribunal finds that the claimant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth: 25<sup>th</sup> February 1972  
Date of Commencement: 01<sup>st</sup> February 1994  
Date of Termination: 26<sup>th</sup> October 2010  
Gross Weekly Wage: €185.36

This award is made subject to the claimant having been in employment which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

Sealed with the Seal of the  
Employment Appeals Tribunal

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