

**EMPLOYMENT APPEALS TRIBUNAL**

APPEALS OF:

CASE NO.

EMPLOYEE - **Appellant**

RP2687/2011

against

MN2126/2011

EMPLOYER - **Respondent**

under

**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: Ms O. Madden BL

Members: Mr D. Moore  
Ms E. Brezina

heard these appeals at Dublin on 1 March 2013

**Representation:**

Claimant:

Mr Paul Henry, SIPTU Membership Information and Support Centre,  
Liberty Hall, Dublin 1

Respondent:

former Finance Director of the respondent

The determination of the Tribunal was as follows:

**Determination:**

The Tribunal is satisfied that the appellant was dismissed by reason of redundancy; having submitted form RP9 to the respondent following an extended period of lay off and received no counter notice, and is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 in accordance with the following criteria.

Date of Birth	28 August 1957
Employment commenced	21 February 2000
Employment ended	17 October 2011
Gross weekly pay	€703-00

There was a period of non-reckonable service, by reason of lay off, from 3 March 2010 until 17

October 2011. This award is made subject to the appellant having been in insurable employment under the Social Welfare Consolidation Act, 2005 during the relevant period. It should be noted that payments from the Social Insurance fund are limited to a maximum of €600-00 per week.

This redundancy having occurred as a result of lay off a claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 does not arise.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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