

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE –**Appellant**

RP316/2009
MN313/2009

against

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: Mr J Flanagan BL

Members: Mr P Pierson
Mr P Trehy

heard this appeal at Tullamore on 28th October 2009

Representation:

Appellant:
In Person

Respondent:
In Person

The determination of the Tribunal was as follows:

Determination:

Having carefully considered the evidence of both parties in this matter the Tribunal is satisfied that the appellant was employed as a grade D construction operative under the construction industry registered employment agreement working for the respondent's steel erecting, roofing and cladding business. On 16th June 2008 the respondent told the appellant that there was no more work for him. The appellant was not told that he was being put on lay-off. In these circumstances the Tribunal is satisfied that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following schedule.

Date of Birth	25 September 1986
Employment commenced	21 May 2006
Employment ended	16 June 2008
Gross weekly pay	€566-00

The Tribunal further awards €1,132-00, being two weeks' pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

These awards are 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)