

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP1502/2010

against

EMPLOYER - respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. J. Sheedy

Members: Mr. D. Hegarty
Ms. P. Doyle

heard this appeal in Cork on 26 November 2010

Representation:

Appellant(s):
In person

Respondent(s):
Ms. Deirdre Kennedy, David J. O'Meara & Sons, Solicitors,
Bank Place, Mallow, Co. Cork

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 2 May 2006, ended by reason of redundancy on 30 December 2009. The gross weekly pay was €536.55.

It was contended on behalf of the respondent that the appellant had worked a three-day week for six months until the date of his redundancy, that the respondent could not pay for the appellant's redundancy and that the payment would have to be made from state funds.

The appellant countered that he had normally worked five or six days per week and that he had been on a five-day week for the first eight months of 2009 but that he had subsequently gone on holiday whereupon he had started a three-day week on 13 October 2009 which was his first day back.

Determination:

The Tribunal was satisfied that the appellant had not been on a three-day week for more than twelve months and therefore makes a redundancy award to him based on his full week's gross pay which was €536.55.

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:	12 August 1973
Date of commencement:	02 May 2006
Date of termination:	30 December 2009
Gross weekly pay:	€536.55

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)