

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:  
EMPLOYEE

CASE NO.  
RP2787/2011

against

EMPLOYER

under

### **REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr D. MacCarthy S C

Members: Mr R. Murphy  
Mr D. Thomas

heard this appeal at Dublin on 4th April 2013

#### **Representation:**

Appellant : Mr Brendan Glynn B L instructed by  
Thomas Loomes & Company, Solicitors, 1 Coolock Village, Malahide Road, Dublin 5

Respondent : Mr Peter Doherty, BDO Simpson Xavier, Simpson Xavier Court,  
Merchants Quay, Dublin 8

The decision of the Tribunal was as follows:

Having heard and considered submissions for both parties the Tribunal by majority decision (the Chair dissenting) finds that the appellant's termination of employment with the respondent was by way of redundancy. Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007 is allowed and the appellant is awarded a statutory lump sum under those Acts, and based on the following:

Date of Birth:	22 December 1953
Date of Commencement :	15 June 1999
Date of Termination:	06 July 2011
Gross Weekly Wage:	€176.00
Non-reckonable Service :	07 July 2008 to 06 July 2011
Amount of redundancy payment :	€3368.64 (as per redundancy calculator)

This award is made subject to the appellant having been in insurable employment with the

respondent during the relevant time under the appropriate Social Welfare Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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