

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

Employee

CASE NO.

RP376/2006

against

2 employers

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. O'Connell B.L.

Members: Mr. J. O'Neill
Mr. P. Woods

heard this appeal at Dublin on 21st February 2007

Representation:

Appellant(s) : In person

Respondent(s) : Ms. Marguerite Bolger B.L. instructed by:
Gleeson McGrath Baldwin, Solicitors, 29 Anglesea Street, Dublin 2

The decision of the Tribunal was as follows:-

Claimant's Case:

The claimant gave evidence. He stated that in late 2005 he was informed that the respondent's main client's contract was to expire the following June. He spoke to his Manager was told that to "keep his options open". He explained that his workload slowly depleted but continued working for the respondent until May 2006. During this time he looked for alternative employment. He commenced his new job in June 2006 on a higher salary.

On cross-examination he said that he had not been told that he had been dismissed, it was his decision to leave as he felt he no longer had a job.

Determination

The Tribunal having carefully considered the evidence does not believe the appellant's claim for statutory redundancy can be supported. In his own evidence the appellant accepted that he was not dismissed from his employment and while the long-term future of his position was in some doubt, he could have continued after the date his employment ended, a date of his own choosing. The claim fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)