<div align="center">**EMPLOYMENT APPEALS TRIBUNAL**</div>

Appeals Of: **Case No.**

Employee   RP17/2007

        MN37/2007

against

Employer

under

<div align="center">

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001

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I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K. T. O'Mahony B.L.

Members: Mr. J. O'Neill
             Mr. J. Maher

heard this appeal at Dublin on 6th June 2007

Representation:

Appellant: In person

Respondent: No appearance or representation.

The decision of the Tribunal was as follows:

The Tribunal were satisfied that the respondent had been properly served notice of the hearing date for the above case.

Appellant's Case:

The appellant was placed on temporary lay-off on the 3 March 2006. When he had not heard from the respondent for approximately eight weeks he contacted the company about the availability of work and received a letter informing him that the respondent would contact him as soon as suitable work became available. By September 2006 he had not received work nor had he been contacted. He organised a meeting with the respondent. The appellant requested his P-45. The appellant heard nothing further from the respondent and his telephone calls to them remained unanswered. The appellant commenced new employment in around September 2006.

Determination:

The Tribunal is satisfied that the appellant's position was redundant and he is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2003, based on the following criteria:

Date of Birth:	7 September 1956
Date of Commencement:	17 February 2003
Date of Termination:	3 March 2006
Gross Weekly Pay:	€695.00

Please note that a statutory gross weekly ceiling limit applies to all payments from the Social Insurance Fund from the 1 January 2005.

The Tribunal awards the appellant €1,390.00 (being the equivalent of two weeks' wages) as his statutory entitlement under the Minimum Notice & Terms of Employment Acts, 1973 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
    (CHAIRMAN)