

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
Employee

CASE NO.
RP19/2006
MN25/2006

against

Employer

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Sheedy

Members: Mr. G. Phelan
Mr. K. O'Connor

heard this appeal in Limerick on 19 June 2007

Representation:

Appellant(s):

Mr. Gerard Kennedy, SIPTU, (No. 1 Branch), Unit 4 Church
Street, St. John's Square, Limerick

Respondent(s):

No attendance or representation

The decision of the Tribunal was as follows:-

Appellant's Case

The appellant told the Tribunal that he had worked as a gym instructor or personal trainer for the respondent. His employment commenced on 17 October 2003. In October 2005 the landlord of the premises at which the appellant was working for the respondent asked for the keys and the appellant's employment at that premises ended. The appellant's employer spoke to the appellant about other work at another venue but the appellant had his last day of employment on 19 October 2005. The appellant sought redundancy and minimum notice awards from the Tribunal. His gross weekly pay had been €400.00 and his date of birth was 20 October 1953.

Respondent's Case

No evidence was offered by or on behalf of the respondent at this hearing.

Determination:

Under the Redundancy Payments Acts, 1967 to 2003, the Tribunal finds that the appellant is entitled to a redundancy lump sum based on his commencement date of 17 October 2003, termination date of 19 October 2005, gross weekly pay of €400.00 and date of birth of 20 October 1953.

In addition, the Tribunal awards the appellant the sum of €800.00 (this amount being equivalent to two weeks' gross pay at €400.00 per week) under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)