

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
Employee

CASE NO. RP349/2007

against
Employer
under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mrs. M. Quinlan

Members: Mr. A. O'Mara
Ms M. Finnerty

heard this appeal at Dublin on 29th November 2007

Representation:

Appellant:

In person

Respondent:

In person

The decision of the Tribunal was as follows:-

The respondent owned a haulage company. The appellant was employed as a van driver by the respondent, working for one particular customer of the respondent. In January 2007 this customer gave the respondent notice that his contract would end in March. The respondent informed the claimant that his job would finish in March and told him that he could offer him another job, as a driver for a building contractors. This job was not suitable for the claimant, as he would not be physically able for it. The respondent agreed to make the claimant redundant. However, when the claimant and the respondent met to complete the forms required for redundancy payment, they had a disagreement regarding the amount to be paid to the claimant and the process was not completed. The claimant did not receive any redundancy payment.

Determination

The Tribunal finds that a genuine redundancy situation existed. In the circumstances the Tribunal awards the appellant a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003, based on the following criteria:

Date of Birth: 29th April 1950
Date employment commenced: 11th October 2004
Date employment terminated: 30th March 2007
Gross Pay: €400.00 per week

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

