

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:
Employee

CASE NO. WT53/2007
RP80/2007

against
2 Employers

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms E Daly BL

Members: Mr D Morrison
Ms R Kerrigan

heard this appeal at Letterkenny on 15th April 2008

Representation:

Appellant: In person

Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:

The Tribunal is satisfied that the respondent was on notice of the hearing. The appellant was dismissed by the respondent on 4th November 2006. The respondent phoned the appellant from the United States of America where he resides and told the appellant that he was closing the shop where the she worked with immediate effect. The appellant sent a redundancy claim form, RP50, to the respondent but this had been returned unopened. The appellant was also due eleven days holidays at the time of dismissal.

Based on the uncontested evidence of the appellant the Tribunal is satisfied that a redundancy situation existed. Accordingly, the Tribunal finds that the appellant is entitled to payment under the Redundancy Payments Acts, 1967 to 2003, based on the following criteria:

Date of commencement: 15th October 2004

Date of Termination: 4th November 2006

Gross pay: €317.75

The Tribunal also finds that the appellant was due eleven days holidays and accordingly awards her €699.05 under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)