

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:  
Employee

MN736/2007

CASE NO. RP513/2007

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: Ms N O'Carroll-Kelly BL

Members: Ms J Winters  
Ms K Warnock

heard this appeal at Navan on 22nd April 2008

Representation:

Appellant: Mr Anton McCabe, Meath Council Of Trade Unions,  
Dan Shaw Hall, Commons Road, Navan, Co. Meath

Respondent: No appearance or representation

The decision of the Tribunal was as follows:

The Tribunal is satisfied that the respondent was on notice of hearing.

The appellant stated that he was employed by the respondent's scaffolding company from June 2000 until December 2006. The respondent found out in November 2006 that the company was going to be sold shortly. His employer told him that the new company, H&H Limited, would keep him on. In December 2006 the employer gave the appellant his P45 and advised him that he could claim social welfare, as he would be receiving a cash payment from the new company. The appellant didn't claim social welfare but continued to work for the new company until April 2007. The appellant then found alternative employment and left the company.

The Tribunal finds that as the appellant continued in paid employment until April 2007, and then left of his own accord, the appeal under the Redundancy Payments Acts, 1967 to 2003, and the Minimum Notice and Terms of Employment Acts, 1973 to 2001, must fail.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)