

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

CASE NO.

RP570/07
MN340/08

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 Flanagan BL

Members: Mr W Power
Ms K Garvey

heard this appeal at Naas on 17th April 2008.

Representation:

Appellant: In person.

Respondent: No appearance by or on behalf of the respondent.

The decision of the Tribunal was as follows:-

This case was heard in conjunction with cases, RP540/07 MN339/08, RP568/07 MN794/07, and RP584/07 MN806/07.

The Tribunal is satisfied that the respondent and the liquidator were properly on notice of this hearing. The Secretary made telephone contact with the liquidator and the liquidator kindly consented by facsimile letter furnished to the Tribunal that day to the appellant amending the Form T1A by the addition of a claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

The appellant consented to withdraw the claim against a named director of the respondent.

The Tribunal awards the appellant €2612.52 being the equivalent of four weeks pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Based on the appellant's uncontroverted evidence, the Tribunal finds that the appellant is entitled to

a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following agreed criteria:

Date of Birth: 17th January 1944
Date of Commencement: 7th April 1999
Date of Cessation: 5th October 2007
Date of Termination: 2nd November 2007
Gross Weekly Wage: €653.13

It should be noted that a statutory weekly ceiling of €600.00 currently applies to payments from the Social Insurance Fund.

These awards are made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

