

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL(S) OF:**

Employee

- *appellant*

**CASE NO.**

RP1047/2008

MN1129/2008

against

Employer

- *respondent*

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. P. Clancy

Members: Mr. B. O'Carroll  
Dr. A. Clune

heard this appeal at Ennis on 19th January 2009

**Representation:**

Appellant(s): Mr. Gerard Tobin, Limerick Citizens Information Services, 54 Catherine Street, Limerick

Respondent(s): No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

**Appellant's case:**

From a written submission, the Tribunal were informed that the respondent employed the appellant as a supervisor. On 19 November 2007, the respondent told the appellant that she was closing down immediately. The appellant was offered a car as an alternative to redundancy but this offer was refused. The respondent made no further contact with the appellant despite his request for his redundancy from her.

In sworn evidence, the appellant confirmed the details of his employment, as set out on his T1-A form (*Notice of Appeal*).

**Determination:**

The Tribunal was satisfied that the respondent had been duly notified of the hearing. However, there was no appearance by her or on her behalf.

Accepting the uncontested evidence of the appellant, the Tribunal finds that the appeal under the Redundancy Payments Acts, 1967 to 2003 succeeds and awards him a redundancy lump sum, which is to be calculated on the basis of the following criteria:

Date of birth:	25 October 1965
Date of commencement:	01 June 2003
Date of termination:	23 November 2007
Gross weekly wage:	€472.00

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal finds that the appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2001 succeeds and awards the appellant €944.00 in lieu of notice, this being the equivalent of two weeks pay.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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