EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF: CASE NO.

Employee MN983/2008

-appellant RP917/2008

against

2 Employers

- respondent

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001 REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal (Division of Tribunal)

Chairman: Mr D. Mahon BL

Members: Mr E. Handley

Mr. N. Broughall

heard this appeal at Dublin on 19th January 2009

Representation:

Appellant(s): The appellant in person

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

The decision of the Tribunal was as follows:-

Appellants Case

The appellant told the Tribunal that she commenced employment with the respondent on 18 April 2006 as an accountant's assistant. She transferred to one of the respondent's companies at the end of October 2007 to deputise for an employee who was on maternity leave and she remained there until 18 July 2008. She returned to her original job on 21 July 2008. On 12 August 2008 her employer told her that he could not retain her in his employment. After this the respondent requested the appellant to send him an e-mail with the total amount of money he owed her. On 19 August 2008 she e-mailed her employer with details of outstanding payments due to her. She sent an RP77 to her employer on 22 August 2008 but she did not receive a response.

Determination

The Tribunal is satisfied that the respondent received his notice of hearing. On the uncontested evidence of the appellant the Tribunal finds that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria: -

Date of Birth 13 June 1982
Date employment commenced 18 April 2006
Date employment ceased 12 August 2008

Gross weekly pay €814.65

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

Please note that there is a weekly ceiling of €600 on all awards made from the Social Insurance Fund.

As the appellant did not receive her notice pay she is entitled to one week's gross pay in the amount of €814.65 under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This			
(Sgd.)			
	HAIRMAN)		