

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:
Employee- *appellant*

CASE NO. RP1032/2008
MN1111/2008

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: Mr D Mahon

Members: Mr M Murphy
Mr P Trehy

heard this appeal at Dublin on 21st January 2009

Representation:

Appellant: In person

Respondent: In person

The decision of the Tribunal was as follows:

The respondent gave evidence that when his company could not purchase supplies he could no longer employ the appellant, and this situation had not changed. He paid the appellant in lieu of minimum notice, which the appellant agreed he had received. The respondent had not paid the appellant his redundancy payment as everything was now in the hands of a liquidator who had yet to be officially appointed.

Having heard the evidence adduced the Tribunal is satisfied that a redundancy situation occurred and awards the appellant a redundancy lump sum payment based on the following criteria:

Date of Commencement: 5th September 2001
Date of Termination: 19th September 2008
Gross weekly pay: €740.00

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

The Tribunal is satisfied that a payment in lieu of minimum notice was paid to the appellant and therefore the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2001 is dismissed.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)