

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
Employee- appellant

CASE NO.
RP852/2008
MN916/2008

against
Employer - respondent

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms B Glynn

Members: Mr P Pierson
Mr J Le Cumbre

heard this appeal at Longford on 13th January 2009

Representation:

Appellant: Ms Mary Murtagh
County Longford Citizens Information Service
First Floor, Longford Shopping Centre
Longford

Respondent: In person

The decision of the Tribunal was as follows:

At the outset of the hearing the managing director (MD) of the respondent company agreed that the appellant had been made redundant and was entitled to a redundancy payment. However, MD stated that he was unable to pay the lump sum. The appellant gave evidence that he received a letter, which told him he was being laid off on 3rd September. He agreed that his P45 stated that his last day of employment was 7th September 2007. The appellant received no payment in lieu of notice.

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

Date of Commencement: 23rd May 2005
Date of Termination: 7th September 2007
Gross weekly pay: €622.83

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 claim under the Minimum Notice And Terms Of Employment Act 1973 To 2001 succeeds and awards the appellant €1245.66 (one thousand, two-hundred and forty-five euro sixty-six cent).

It should be noted that payments from the Social Insurance Fund are limited to a maximum of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)