

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

- appellant

CASE NO.

RP1385/08
MN1477/08
WT625/08

Against

Employer

- respondent

Under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr M. Kennedy
Mr P Woods

heard this appeal at Dublin on 20th April 2009.

Representation:

Appellant: O'Donnell Sweeney Eversheds, Solicitors, One Earlsfort
Centre, Earlsfort Terrace, Dublin 2

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

The decision of the Tribunal was as follows:-

Determination:

The appellant made every effort to apply for a postponement of the case but this was refused by the Tribunal. Accordingly, the case proceeded.

There was no appearance by or on behalf of the respondent. The Tribunal is satisfied that the respondent was properly on notice of this hearing. Neither the respondent nor a representative on his behalf appeared at the hearing.

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 2007 based on the

following criteria:

Date of Birth:	9 August 1982
Date of Commencement:	27 May 2006
Date of Cessation:	26 September 2008
Date of Termination:	10 October 2008
Gross Weekly Wage:	€1018.00

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

This award is made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

The Tribunal also finds that the appellant is entitled to two weeks notice and awards him €2036.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

The Tribunal awards the appellant €2036.00 under the Organisation of Working Time Act, 1977.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)