

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

Employee

CASE NO.

against
Employer - *respondent*

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C
Members: Mr J. Hennessy
Mr B. Byrne

heard this appeal at Kilkenny on 23rd April 2009

Representation:

Appellant(s) : In Person

Respondent(s) : In Person

The decision of the Tribunal was as follows:-

Determination

The appellant was employed from the 4 March 2001 working in a garden centre in premises which was acquired by the respondent in July 2007. The respondent made changes in the business by including a farm shop as well as the garden centre business. While the Tribunal has regard to the changes made to the business, the appellant's work did not change substantially and the Tribunal holds that her continuity of employment was preserved.

On the 5 September 2008 the business was closed and the appellant became redundant.

The Tribunal finds that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:

Date of Birth:	4 November 1982
Date of commencement of employment:	4 March 2001
Date of termination of employment:	5 September 2008
Gross weekly pay:	€400.00

This award is made subject to the appellant having been in insurable employment under the Social

Welfare Acts during the relevant period.

The appellant received two weeks notice , but her service entitled her to a minimum of four weeks , and the Tribunal awards her the sum of €800.00 being the equivalent of two weeks pay under the Minimum notice and Terms of Employment Acts 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

