EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF: CASE NO. UD1406/2008 Employee - appellant RP1249/2008 MN1341/2008

Against

Employer - respondent

Under

UNFAIR DISMISSALS ACTS, 1977 TO 2001 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. MacCarthy S.C.

Members: Mr. F. Moloney

Mr O. Nulty

heard this claim in Navan on 26th May 2009

Representation:

Claimant: Mr. Blazej Nowak, Emigrant Advice Centre, 19 Talbot Street, Dublin 1

Respondent: No appearance by or representation on behalf of

The determination of the Tribunal was as follows:-

At the outset the claim under the Unfair Dismissals Acts 1997 to 2001 was withdrawn. The appellant commenced employment on the 19^{th} of September 2004. The respondent informed the appellant on the 17^{th} of August 2008 that there was no further work for him. The appellant received his P45 in October 2008 with an incorrect cessation date of 29^{th} of June 2008. The appellant did not receive any payslips and is only aware of his net weekly pay agreed to be €600.00.

Determination

The Tribunal are satisfied that the respondent received sufficient notice of hearing. Based on the uncontested evidence the Tribunal finds that he is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following details:

Date of Commencement: 19th September 2004
Date of Birth: 3rd of June 1964
Date of Cessation: 17th of August 2008

Gross Weekly Salary: €600.00

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

The Tribunal finds that the appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2001, succeeds and accordingly the appellant is entitled to the statutory entitlement under the Act of two week's pay in lieu of notice in the sum of €1200.00, being the equivalent of two week's pay.

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| Employment Appeals Tribunal |
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| (Sgd.) |