

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

Employee

- claimant

CASE NO.

RP143/2009

UD141/2009

M N142/2009

against

Employer

- respondent

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr C. McHugh
Mr C. Ryan

heard this claim at Dublin on 16th June 2009

Representation:

Claimant(s) : Mr Christopher Horrigan, Blake Horrigan, Solicitors, McKeever House,
4/5 Ushers Court, Ushers Quay, Dublin 8

Respondent(s) : Mr. Bernard Mc Keever, Ryan Cannon Kirk, 20b Beckett Way,
Parkway Business Park, Dublin 12

The determination of the Tribunal was as follows:-

Claimant's Case:

The claimant gave evidence. He confirmed the details set out on his T1A form to the Tribunal. On December 19th 2008 he returned from a three-day holiday. He received a call from a Director of the respondent company and was informed there was no more work for him and his contract was terminated. He tried to set up a meeting with this Director but to no avail. He acquired new employment in March 2009 receiving a lower salary.

Determination:

Based on the evidence given by the claimant the Tribunal finds that a redundancy situation occurred in this case and therefore he is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of birth	28 April 1978
Date employment commenced	01 February 2006
Date employment ceased	19 th December 2008
Gross weekly pay	€ 865.38

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

Please note that a statutory weekly ceiling of € 600 applies to all payments from the Social Insurance Fund.

Loss having been established, the Tribunal awards the sum of € 1,730.76 this being two weeks' pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The claim under the Unfair Dismissals Acts, 1977 to 2007 was dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)