

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
Employee
-Appellant

CASE NO.
RP738/2009
MN697/2009

against

Employer -Respondent

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. E. Murray

Members: Mr. J. Hennessy
Mr. J. McDonnell

heard this appeal at Waterford on 22nd July 2009

Representation:

Appellant: Mr Finbarr Dorgan, TEEU, South Eastern Regional Office,
83 Lower Yellow Road, Waterford City

Respondent: No appearance or representation

The decision of the Tribunal was as follows:

This claim was heard simultaneously with RP481.09.

The Tribunal is satisfied that the respondent was duly notified of the hearing. Neither the respondent nor a representative on its behalf attended the hearing.

The appellant gave evidence to the Tribunal that he commenced employment as an apprentice with the respondent on the 1st March 2004. The appellant completed his period of apprenticeship on the 7th July 2008. On the 24th November 2008 the appellant received a letter from the respondent stating no further work was available. The appellant's P45 was included with this letter. The union wrote to the respondent on the appellant's behalf seeking a redundancy payment but no response was received. The appellant did not receive payment in lieu of notice.

Determination:

Based on the uncontested evidence of the appellant, the Tribunal awards him a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 24th April 1983
Date of Commencement: 1st March 2004
Date of Termination: 21st November 2008
Gross Weekly Pay: €662.64

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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

The Tribunal awards the appellant €1,325.28 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 (being the equivalent of two weeks' gross pay.)

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)