

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

Employee

- *appellant*

CASE NO.

RP1175/2009

MN1047/2009

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 M. Gilvarry

Members: Mr. D. Morrison
Mr P. Clarke

heard this appeal at Carrick-On-Shannon on 18th September 2009

Representation:

Appellant: Ms Mary Murtagh, Leitrim Citizens Information Centre, Bridge Street, Drumshanbo,
Co. Leitrim

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

The decision of the Tribunal was as follows:

The Tribunal noted that a sick certificate was handed in to the secretary prior to the hearing. However there was no representative by or on behalf of the company and no application was made by the company at the hearing or before any division of the Tribunal for a postponement.

The Tribunal granted an application from the appellant's representative to remove the name of the individual director named on the T1A. The Tribunal were satisfied that the respondent was on notice and they were the correct employers. The hearing proceeded against the respondent company.

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:	24 th January 1967
Date of Commencement:	24 th September 2001
Date of Termination:	22 nd August 2008
Gross Weekly Pay:	€380.28

The Tribunal also finds that the appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeeds and awards the appellant the sum €1521.12 in lieu of notice, this being the equivalent to four week's gross pay.

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)