

## EMPLOYMENT APPEALS TRIBUNAL

### APPEAL(S) OF:

Employes  
- *appellant*

### CASE NO.

RP142/2009  
MN141/2009

against

2 Employers

- *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 J Flanagan BL  
Members: Mr G Mc Auliffe  
Ms E Brezina

heard this appeal at Mullingar on 8<sup>th</sup> September 2009

### Representation:

Appellant: In person  
Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:

### **Determination:**

The Tribunal is satisfied that the respondent was notified of this hearing. Neither the respondent nor representatives on its behalf appeared at the hearing. The Form T1A had been sent to the address in Northern Ireland furnished by the appellant and which was described as the respondent's head office. A Form T2 was returned from the office in the Northern Ireland on behalf of the respondent and attaching a letter stating that due to financial difficulties the company was no longer in a position to continue the employment of the appellant. In this letter it was also stated that a liquidator was to be appointed on behalf of the creditors. The Tribunal notes that at the date of the hearing the status of the respondent company was normal. The Tribunal also includes the second named respondent at the address as registered in the Companies Registration Office.

Based on the uncontested evidence of the appellant the Tribunal finds that she is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following

criteria:

Date of birth	18 <sup>th</sup> May 1973
Date employment commenced	9 <sup>th</sup> April 2002
Date employment ceased	27 <sup>th</sup> January 2009
Gross weekly pay	€310.82

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

Having considered submissions from the appellant, the Tribunal allows the appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and awards the appellant €1243.28 as compensation for four week's notice.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)