

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP87/2009
MN93/2009

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: Ms. P. Clancy

Members: Mr. G. Phelan
Dr. A. Clune

heard this appeal in Limerick on 4 September 2009

Representation:

Appellant(s) :
Mr. Denis Linehan, Denis A. Linehan & Co, Solicitors,
Rathgoggin South, Charleville, Co. Cork

Respondent(s) :
No attendance or representation

The decision of the Tribunal was as follows:-

Appellant's Case

Giving sworn testimony, the appellant said that his employment with the respondent commenced on 1 April 2003 but terminated without notice on 9 September 2008 when he was told that the respondent had no work for him and that the respondent would have to let him go. He sought a redundancy lump sum and a minimum notice payment. He confirmed that his average gross weekly pay had been €655.50. He did not succeed in obtaining new employment before the end of his four-week notice period.

Respondent's Case

No evidence was offered by or on behalf of the respondent.

Determination:

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the appellant is entitled to a redundancy lump sum based on the following details:

| | |
|--------------------|-----------------|
| Commencement Date: | 01 April 2003 |
| Termination Date: | 09 May 2008 |
| Gross Weekly Pay: | €655.50 |
| Date of Birth: | 10 October 1984 |

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.

In addition, the Tribunal allows the claim lodged under the Minimum Notice and Terms of Employment and awards the appellant the sum of €2622.00 (this amount being equivalent to four weeks' gross pay at €655.50 per week) under the said legislation.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

