

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE (Appellant)

CASE NO.
RP220/2009

against
EMPLOYER (Respondent)

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. N. O'Carroll-Kelly B.L.

Members: Mr. J. O'Neill
Mr. J. Dorney

heard this appeal at Naas on 4th November 2009

Representation:

Appellant: In Person

Respondent: No appearance or representation on behalf of the respondent.

The decision of the Tribunal was as follows:

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

The appellant worked in the same shop for the duration of her employment. During the time she was employed the person who owned the building and initially managed the shop, leased the premises to other individuals. Each time the appellant was told by the person leasing the premises that there was a job for her. Other employees also transferred but eventually left of their own accord. Although the management of the shop changed, the appellant's role and contract of employment remained unchanged and her employment was continuous. Eventually the shop closed on the 24th July 2008.

Determination:

Based on the appellant's uncontested evidence the Tribunal is satisfied that the appellant was in continuous employment for the duration with the same contract and the same role. Accordingly, the Tribunal awards the appellant a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 7th July 1955
Date of Commencement: 1st September 1999
Date of Termination: 24th July 2008
Gross Weekly Pay: €310.00

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)