

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
MN956/2009

RP1048/2009

against

EMPLOYER

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 T. Taaffe

Members: Mr F. Moloney
Ms M. Maher

heard this appeal at Dublin on 10th February 2010

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 properly on notice of this hearing. Neither the respondent nor a representative on their behalf appeared at this hearing.

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

Date of birth	28/03/2008
Date employment commenced	01/05/2006
Date employment ended	06/03/2009
Gross weekly pay	€614.11

It should be noted that a statutory weekly ceiling of €600.00 currently applies to payments from the Social Insurance Fund.

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

An employee who claims and receives a redundancy payment in respect of lay off or short time is deemed to have voluntarily left his/her employment and therefore is not entitled to notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

