

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

RP1112/2008

**appellant**

Against

EMPLOYER

**respondent**

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr J. Hennessy  
Mr. J. Dorney

heard this appeal at Kilkenny on 15th February 2010

Representation:

\_\_\_\_\_

Appellant(s): Mr Patrick Kavanagh, Teeu, 83 Lower Yellow Road, Waterford

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

The decision of the Tribunal was as follows: -

#### **Appellant's Case**

The appellant told the Tribunal that he commenced employment with the respondent as an apprentice electrician on 3 March 2005. His apprenticeship started on 25 May 2005 and he trained as an apprentice two months before he was registered. He was let go on 31 July 2008 and he was informed the week before that there was no work for him. He went to Australia on 10 November 2008. He completed all phases of his apprenticeship before going to Australia in November 2008. Between 31 July 2008 and 10 November 2008 he was in receipt of a job seekers allowance. He decided to go to Australia a month after he was let go. He had thought about going to Australia in 2002 but he did not tell his employer. He completed all phases of his apprenticeship and had completed all his training in FAS before he went to Australia. He stated that he completed his course in three years and qualified on 25 May 2009.

**Determination**

On the uncontested evidence of the appellant the Tribunal is satisfied that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:-

Date of birth	06 December 1984
Date employment commenced	25 May 2005
Date employment ceased	31 July 2008
Gross weekly pay	€640.00

Amount of redundancy payment: €4,704.00

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

A weekly statutory ceiling of €600,00 applies to payments from the Social Insurance Fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

