

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:  
EMPLOYEE *-appellant*

CASE NO.  
UD1301/2009  
RP1482/2009  
MN1292/2009

against  
EMPLOYER *-respondent*

Under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**  
**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: Mr T. Taaffe

Members: Mr M. Carr  
Mr. S. O'Donnell

heard this claim at Navan on 30th March 2010

### **Representation:**

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Claimant: Ms Susan Jones B.L. instructed by G. Jones & Co., Solicitors, Main Street,  
Carrickmacross, Co. Monaghan

Respondent: No appearance or representation on behalf of

The determination of the Tribunal was as follows: -

The claim under the Unfair Dismissals Acts, 1977 to 2007 was withdrawn at the outset. The Tribunal are satisfied that the respondent was properly notified of this hearing. Neither they nor representatives on their behalf appeared for this case.

### **Claimant's Case**

The claimant was informed there was no further work for him effective from the 23<sup>rd</sup> of December 2008. The claimant attempted to contact the respondent in January 2009, visiting the respondent premises. The claimant had no contact with the respondent until he received a letter in June 2009 informing him the respondent was going into liquidation. The claimant made all efforts to contact the respondent including sending registered letters to the respondent regarding his claim under the Redundancy Payments Acts, 1967 to 2007.

### **Determination**

The appellant served a claim for Redundancy on the 17<sup>th</sup> of June 2009 and has satisfied the Tribunal that he made every effort to contact the respondent. The Tribunal is satisfied that the date of termination is the 23<sup>rd</sup> of December 2008. Based on the uncontested evidence of the appellant, the Tribunal finds that he is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following details:

Date of Birth:	15th February 1981
Date employment commenced:	26 <sup>th</sup> June 2006
Date employment ended:	23rd December 2008
Gross weekly salary:	€687.50

(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.

The Tribunal find that the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeeds and awards the appellant €1375.00 being the equivalent to two weeks pay.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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