

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE -Appellant

CASE NO.
RP848/2009
MN791/2009

against
EMPLOYER -Respondent

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. J. Browne
Mr. A. Butler

heard this appeal at Wexford on 19th February 2010

Representation:

Appellant: Ms. Barbara Mebtouche, TRIANA, Independent Advice & Information Bureau,
13 Store Street, Dublin 1

Respondent: No appearance or representation.

The decision of the Tribunal was as follows:

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

The appellant's representative outlined to the Tribunal that while the appellant had received €390.00 gross wages per week from the respondent he should have received €595.00 gross wages per week in line with the Registered Employment Agreement for the construction industry. The representative referred the Tribunal to a Rights Commissioner Decision in this matter, referencer-076024-pw-09/MMG.

Determination:

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

Date of Birth: 30th September 1984
Date of Commencement: 27th July 2006
Date of Termination: 11th November 2008
Gross Weekly Pay: €595.00

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

The Tribunal finds that the appellant is entitled to one further weeks notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and awards him the sum of €595.00 (being the equivalent of one weeks gross pay).

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)