

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

MN1579/2009
RP1806/2009

appellant

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 M. O'Connell B.L.

Members: Mr M. Carr
Mr J. Jordan

heard this appeal at Dublin on 28th May 2010

Representation:

Appellant(s): Ms. Barbara Mebtouche, Triana, Independent Advice &
Information Bureau, 13 Store Street, Dublin 1

Respondent(s): No attendance or representation 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 working with the respondent on 31 October 2005. His work entailed assisting in painting and decorating. He was informed on 22 January 2009 that he did not have to come to work the next day, as his employer could not obtain money from the bank. He received his holiday entitlements and he did not have a break in his service.

Determination

On the uncontested evidence of the appellant the Tribunal finds 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	26 May 1977
Date employment began	31 October 2005
Date employment ended	22 January 2009
Gross weekly pay	€400.00

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

The appellant is entitled to compensation in the amount of €800.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, which is equivalent to two weeks gross, pay (€400.00 per week).

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

