

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

CASE NO.

RP1608/2009

Against

Employer

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms D. Donovan

Members: Mr J. Browne
Ms S. Kelly

heard this appeal at Carlow on 23rd March 2010

Representation:

Appellant: Mr. Justin Cody, James Cody & Sons, Solicitors, Centaur Street, Carlow

Respondent: No appearance by or on behalf of the respondent.

The decision of the Tribunal was as follows:-

The appellant told the Tribunal that he was employed as a spray painter by the respondent from 20th May 2006. The appellant was made redundant on 10th October 2008. The appellant could not confirm if the respondent was still trading.

Determination:

The Tribunal having carefully considered the evidence adduced at the hearing by the claimant there being no appearance for the Respondent. The Tribunal finds that a genuine redundancy situation existed in relation to the claimant's employment as a result of a downturn in the respondent's business aggravated by a fire destroying the business premises. Therefore, the claim under Redundancy Payments Acts, 1967 to 2007 succeeds and the appellant is entitled to a redundancy payment based on:

Date of Birth:	30 th May 1978
Date of Commencement:	20 th May 2006
Date of Termination:	10 th October 2008
Normal Weekly Remuneration:	€579.70

This award is subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)