

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP1035/2009

and

EMPLOYEE - appellant

RP1195/2009

against

EMPLOYER - respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony BL

Members: Ms. M. Sweeney
Ms. H. Kelleher

heard these appeals in Cork on 14 May 2010

Representation:

Appellant(s):

No legal or trade union representation

Respondent(s):

No attendance or representation

The decision of the Tribunal was as follows:-

The first-named appellant sought a redundancy lump sum award claiming that his employment with the respondent, which commenced on 12 December 2005, ended by reason of redundancy on 27 February 2009 after he had been given notice on 9 January 2009. There had been no breaks in his service in the last three years of his employment. His gross weekly pay was €671.70.

The second-named appellant sought a redundancy lump sum award claiming that her employment with the respondent, which commenced on 10 April 2006, ended by reason of redundancy on 28 April 2009 after she had been given notice on 28 July 2008. She stated that there had been a five-week break in her service in the last three years of her employment. This took place within a ten-week period of unpaid leave between November 2007 and start February 2008. Her gross weekly pay was €509.61.

No evidence was offered at the hearing by or on behalf of the respondent in respect of either appellant.

Determination:

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the first-named appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	14 October 1971
Date of commencement:	12 December 2005
Date of termination:	27 February 2009
Gross weekly pay:	€671.70

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the second-named appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	16 September 1982
Date of commencement:	10 April 2006
Date of termination:	28 April 2009
Gross weekly pay:	€509.61

The Tribunal finds that there was a five-week break in her continuous reckonable service between November 2007 and February 2008.

These awards are made subject to the appellants having been in insurable employment under the Social Welfare Acts during the relevant period.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)