

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE
MN1202/2009

RP1379/2009

against

1. EMPLOYER

2. EMPLOYER

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. Gilvarry
Members: Mr T. Gill
Mr M. McGarry

heard this appeal at Castlebar on 10th May 2010

Representation:

Appellant:

Mr. Kevin Bourke, Kevin M Bourke, Solicitors, Burke House,
Ellison Street, Castlebar, Co Mayo

Respondent:

No appearance by or on behalf of the respondent.

The decision of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent.

Having considered the uncontested evidence of the appellant the Tribunal are satisfied that a redundancy situation did exist at the time of termination of the appellant's employment and that he was not given minimum notice.

The Tribunal awards the appellant €3,440.00 under the Minimum Notice And Terms Of Employment Acts, 1973 To 2005.

The Tribunal also awards the claimant a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	17 th Sept. 1969
Commencement Date	1 st Aug. 2003
Date notice received	16 th Jan. 2009
Termination date	16 th Jan. 2009
Gross pay	€860.00 p.w.

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that any payment made from the Social Insurance Fund is subject to a maximum of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

