

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP1800/2009

against
EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. Clancy
Members: Mr. W. O'Carroll
Mr T. Kelly

heard this appeal at Limerick on 25th June 2010

Representation:

Appellant:

The appellant in person

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. The Tribunal is satisfied that the respondent was properly notified of the hearing.

The claimant stated that she commenced employment with a company on 1st September 2003 and that that company later transferred ownership to the respondent. The claimant continued in employment with the respondent and there was no break in service. Her employment ended on 16th January 2009 as there was no work left. The respondent told the appellant that she would be paid a redundancy lump sum after other arrears had been paid but at the date of the hearing no redundancy payment was received by the appellant. The appellant's gross pay at the time of termination of employment was €390.00 per week.

Determination

Having considered the uncontested evidence of the appellant the Tribunal is satisfied that there was a transfer of undertakings to the respondent and awards the claimant a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	14 th August 1954
Commencement Date	1 st September 2003
Date notice received	N/A
Termination date	16 th January 2009
Gross pay	€390.00 pw

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 maximum earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

