

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE -*Appellant*

CASE NO.
RP1804/2009
MN1577/2009

against

EMPLOYER -*Respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. D. Donovan B.L.

Members: Mr. J. Horan
Mr. F. Dorgan

heard this appeal at Carlow on 30th July 2010

Representation:

Appellant: Mr. Michael Murray B.L. instructed by Boland & Company, Solicitors,
Patrick's Court, Patrick Street, Kilkenny

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

The decision of the Tribunal was as follows:

It was the appellant's evidence that on the 17th April 2009, a director of the company informed the appellant and four other employees that their positions would be made redundant. The appellant enquired if he should consider his notice period to be running from the 17th April 2009. The director informed the appellant that he wished to stagger the redundancies over a period of time and that he would inform the appellant when his period of notice commenced. However, the appellant was subsequently informed on the 17th June 2009 that his employment would terminate on the 18th June 2009, by reason of redundancy. The appellant enquired at that time about receiving payment in lieu of notice but payment was not forthcoming.

Determination:

Based on his uncontested evidence, the Tribunal awards the appellant a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 2nd December 1963
Date of Commencement: 1st April 1979
Date of Termination: 18th June 2009
Gross Weekly Pay: €554.74

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal awards the appellant the sum of €4,437.92 (being the equivalent of eight weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)