

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE – appellant

CASE NO.
RP1697/2009

against
EMPLOYER – respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms E Kearney BL

Members: Mr W O'Carroll
Ms H Murphy

heard this appeal at Galway on 28th June 2010

Representation:

Appellant(s): Mr Duncan McDonald
VP Shields, Solicitors
Westbridge, Loughrea, Co. Galway

Respondent(s): No appearance or representation

The decision of the Tribunal was as follows:-

There was no appearance by, or representation on behalf of, the respondent. The Tribunal is satisfied that the respondent was on notice of the hearing.

The appellant gave evidence that his employment was terminated by his employer, on January 9th 2009 as per the P45, in advance of the completion of his apprenticeship. The appellant produced a letter from Fas, the training and development authority, which stated that he completed phase seven of his apprenticeship on February 26th 2009.

Determination:

The Tribunal finds that the appellant's employment was terminated by his employer prior to the completion of his apprenticeship and that he is therefore entitled to a redundancy payment under the Redundancy Payments Acts 1967 to 2007, based on the following information:

Date of Birth: 8th August 1984
Date of Commencement: 3rd November 2003
Date of Termination: 9th January 2009
Gross Weekly Pay: €450.00

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

The Tribunal could not hear an appeal under the Minimum Notice and Terms of Employment Acts 1973 to 2005, as the respondent was not on notice of such a claim.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)