

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP2350/2009
MN1954/2009

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. F. Crawford BL

Members: Mr. P. Pierce
Mr. J. Maher

heard this case in Dublin on 13 July 2010

Representation:

Appellant(s):
In person

Respondent(s):
No attendance or representation at the hearing

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 9 February 2007, ended without notice after he was laid off on 29 May 2009. His gross weekly pay was €638.43. There was a change in the name of his employer in early 2008 but he brought documentation to the hearing to indicate continuity of employment.

No evidence was offered by or on behalf of the respondent at the hearing.

Determination:

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that it has been satisfied that there was continuity of employment from 9 February 2007 to 29 May 2009 and that the appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	09 October 1960
Date of commencement:	09 February 2007
Date of termination:	29 May 2009
Gross weekly pay:	€638.43

It should be noted that payments from the Social Insurance Fund are limited to a maximum of €600.00 per week.

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

Given that the appellant decided to seek redundancy after he had been laid off, the Tribunal does not find the respondent to have been in breach of the Minimum Notice and Terms of Employment Acts, 1973 to 2005, Therefore, the claim lodged under the said Minimum Notice and Terms of Employment Acts, 1973 to 2005, fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)