

**EMPLOYMENT APPEALS TRIBUNAL**

APPEALS OF:

CASE NO.

EMPLOYEE  
MN287/2009

RP272/2009

against

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 P. Hurley  
Members: Mr. W. O'Carroll  
Mr T. Kelly

heard this appeal at Limerick on 21st 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 are satisfied that the respondent was properly notified of the hearing.

The appellant stated that he commenced employment with the respondent on 1<sup>st</sup> June 2006 and was last employed by the respondent on 9<sup>th</sup> December 2008. However the appellant stated that tax deductions only began from 1<sup>st</sup> October 2006 and that according to the Tax Office his employment terminated on 28<sup>th</sup> November 2008. He turned up for work and was told by the main contractor on site that there was no work for him and he was not given any notice by the respondent. The appellant has not been paid a redundancy lump sum nor has he been paid in lieu of notice. The appellant's gross pay at the time his employment ceased was €1,000.00 per week.

Having considered the uncontested evidence of the appellant the Tribunal awards the claimant €2,000.00 being two weeks wages under the Minimum Notice and Terms Of Employment Acts, 1973 To 2005 and a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	20 <sup>th</sup> December 1978
Commencement Date	1 <sup>st</sup> June 2006
Date notice received	N/A
Termination date	9 <sup>th</sup> December 2008
Gross pay	€1,000.00

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)

