

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.
RP237/2010

EMPLOYEE *-appellant*

against

EMPLOYER *-respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms K. T. O'Mahony

Members: Mr. P. Casey
Mr. J. Flavin

heard this appeal at Cork on 26th August 2010

Representation:

Appellant: Ms. Elaine Garde, Independent Workers Union, 55 North Main Street, Cork.

Respondent: No appearance or representation

Determination

The appellant worked for the respondent; an employment agency until she was made redundant on the 10th of September 2008. The appellant was placed in a company by the employment agency where she remained throughout the duration of her employment but was always paid by the employment agency.

The appellant submitted her P60's and P45 to the Tribunal. Although the 2007 P60 only shows 27 weeks worked the Tribunal are satisfied that the appellant worked continuously for the respondent. When the appellant's employment was terminated she received the full un-employment allowance from Social Welfare.

Based on the uncontested evidence of the appellant the Tribunal finds that the appeal under the Redundancy Payments Acts, 1967 to 2007 succeeds and awards the appellant a redundancy lump sum based on the following criteria despite what the P60 indicate:

Date of birth: 13th October 1978
Date of commencement: 25th August 2006
Date of termination: 10th September 2008
Gross weekly wage: €402.00

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)