

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

- appellant

RP2248/09
MN1882/09
WT851/09

Against

EMPLOYER

- respondent

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath BL

Members: Mr. M. Flood
Mr A. Butler

heard this appeal at Naas on 16th November 2010.

Representation:

Appellant: Kings, Solicitors, 2 Inns Court, Winetavern Street, Dublin 8

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

The decision of the Tribunal was as follows:-

At the outset of the hearing the claims under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and the Organisation of Working Time Act, 1997 were withdrawn.

Determination:

The Tribunal is satisfied that the respondent was duly notified of the hearing. Neither the respondent nor a representative on his behalf appeared at the hearing.

The appellant told the Tribunal that he received a photocopy of a cheque in the amount of €8664.00 from the respondent approximately three to four weeks after he was made redundant. He never received the original cheque and no money was credited to his bank account.

Based on the uncontested evidence of the appellant the Tribunal is satisfied that he was made redundant and accordingly awards him a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth: 1st June 1956
Date of Commencement: 3rd July 2002
Date of Termination: 20th March 2009
Gross Weekly Wage: €620.00

It should be noted that a statutory weekly ceiling of €600.00 currently applies to payments from the Social Insurance Fund.

This award is made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)