

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP574/2010
MN349/2010

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. K.T.O'Mahony BL

Members: Ms. M. Sweeney
Mr. O. Wills

heard this appeal in Clonakilty on 4 October 2010

Representation:

Appellant: Ms. Laura McInerney, Wolfe & Company, Solicitors, Market Street,
Skibbereen, Co.Cork

Respondent: No attendance or representation

Claimant's Case

The appellant commenced employment with the respondent on 24 August 2002. Work began to decrease in 2009. On the morning of 10 December 2009 the employer/respondent told the appellant and others that he had no more work and to go home. The appellant was paid up to and including 11 December 2009. There were no breaks in his service.

Respondent's Case

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

Determination:

The Tribunal is satisfied that a redundancy situation existed in the respondent company and that the appellant was made redundant. The Tribunal finds that the appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007, based on the following details:

Date of birth:	17 June 1965
Date of commencement:	24 August 2002
Date of termination:	11 December 2009
Gross weekly pay:	€900.00

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.

Allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €3,600.00 (this amount being equivalent to four weeks' gross pay at €900.00 per week).

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)