

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE
MN145/2010

RP208/2010

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: Ms. D. Donovan
Members: Mr. J. Hennessy
Mr. F. Dorgan

heard this appeal at Waterford on 7th February 2011

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 and the Tribunal is satisfied that they had been properly notified of the hearing.

The appellant stated that she commenced employment with the respondent on 1st February 2006 and was let go when the business closed down on 31st December 2009. At the time of termination of employment the appellant was being paid €440.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment.

The appellant stated that she was given notice of termination of employment on 26th November 2009.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards him a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	21 st February 1981
Commencement Date	1 st February 2006
Date notice received	26 th November 2009
Termination date	31 st December 2009
Gross pay	€440.00

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

According to the appellant's own evidence she received notice of termination of employment on 26th November 2009 and continued in employment until 31st December 2009. Therefore the Tribunal is satisfied that she received her due notice and accordingly the claim under the Minimum Notice And Terms Of Employment Acts, 1973 to 2005 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

