

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

EMPLOYEE

MN2144/2009

claimant

UD2310/2009

against

EMPLOYER

respondent

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr C. Corcoran B.L.

Members: Mr R. Murphy
Ms M. Maher

heard this claim at Dublin on 31st January 2011

Representation:

Claimant(s): The claimant in person

Respondent(s): No attendance by or on behalf of the respondent

The determination of the Tribunal was as follows:-

Claimant's Case

The claimant told the Tribunal that he commenced employment with the respondent on 24 August 1998 and his employment ended on 1 May 2009. He was called to a meeting on 29 April 2009 and was told that there were going to be redundancies, as the respondent was not doing well. After he was made redundant he visited the factory and noticed that employees who had commenced work after him were undertaking the work that he did. He felt that he was unfairly selected for redundancy.

He received a redundancy payment of €12,500.00 and he did not receive his minimum notice entitlement.

After he was made redundant he obtained employment for a nine-month period.

Determination

Based on the evidence adduced and in the absence of any evidence to the contrary the Tribunal finds that the claimant was unfairly selected for redundancy. The Tribunal awards the claimant compensation of €31,300.00 under the Unfair Dismissals Acts, 1977 to 2007 and in determining this award takes into account the redundancy lump sum the claimant received.

The claimant's employment terminated without notice and he is therefore entitled to compensation of €3,300.00 which is equivalent to six weeks gross pay (€550.00 per week) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

