

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP1482/2010
MN1038/2010

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: Mr. L. Ó Catháin

Members: Mr. D. Hegarty
Mr. J. Flavin

heard this appeal in Clonakilty on 13 December 2010

Representation:

Appellant(s):
In person

Respondent(s):
In person

The decision of the Tribunal was as follows:-

The appellant claimed that her employment, which commenced on 18 August 2006, ended without notice by reason of redundancy on 1 May 2010. Her gross weekly pay was stated to have been €200.00.

No evidence was offered by the respondent to indicate that the appellant was not entitled to a redundancy lump sum. At the Tribunal hearing the respondent stated that he was a little confused as to the final date and about temporary lay-off. He stated that the appellant's pay had been €200.00 per week until two months before she was laid off. He did not challenge the termination

date of 1May 2010 but stated that he did not have the funds to pay the redundancy lump sum.

Determination:

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	09 August 1959
Date of commencement:	18 August 2006
Date of termination:	01 May 2010
Gross weekly pay:	€200.00

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

Dismissing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal finds that it was not established at the hearing that the respondent was in breach of the said legislation in respect of the redundant appellant whom he had laid off.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)