

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP1942/2010

against

EMPLOYER - respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony BL

Members: Ms. M. Sweeney
Mr. J. Flavin

heard this appeal in Cork on 11 February 2011

Representation:

Appellant(s):
In person

Respondent(s):
No attendance or representation

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 20 October 1996, ended by reason of redundancy on 28 July 2009. During his service he had been employed by a limited company which had ceased to trade whereupon he had continued in employment for the respondent. There were no breaks in the last three years of his service. His gross weekly pay was €550.00.

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

Determination:

The Tribunal is satisfied that there was a transfer of an undertaking between the limited company

and the respondent herein and that the appellant has continuity of service from the date of the commencement of his employment with the limited company to the date of the termination of his employment by the respondent. Accordingly, 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:	14 November 1950
Date of commencement:	20 October 1996
Date of termination:	28 July 2009
Gross weekly pay:	€550.00

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)