

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE – *appellant*

CASE NO.
RP1159/2010
MN812/2010

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 N O'Carroll-Kelly BL

Members: Mr J Flanagan
Mr A Butler

heard this appeal at Dublin on 26th January 2011

Representation:

Appellant(s): In person

Respondent(s): No appearance or representation

The decision of the Tribunal was as follows:

There was no appearance by or representation on behalf of the respondent. The Tribunal noted that a Liquidator was appointed to the respondent company on June 1st 2010. The Tribunal is satisfied that the Liquidator was on notice of the appeal. The appellant gave evidence that he was informed by text message on Friday February 5th 2010 that there was no further work available. His employment ceased on that day.

Determination:

Based on the uncontested evidence of the appellant the Tribunal finds that a redundancy situation existed in relation to the appellant's employment. Accordingly, he is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following information:

Date of Birth: 9th December 1971
Date of Commencement: 15th October 2007

Date of Termination: 19th February 2010
Weekly Gross Pay: €315.38

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

The Tribunal awards the appellant €630.76 (six hundred and thirty euro, seventy-six cent) in respect of two weeks' pay under the Minimum Notice And Terms Of Employment Acts, 1973 to 2005. The date of termination has been amended to reflect this award.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)