

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE

CASE NO.  
RP719/2010  
MN463/2010

against

EMPLOYER  
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. M. O'Connell BL

Members: Mr. B. Kealy  
Ms. A. Moore

heard this appeal in Dublin on 4 November 2010

Representation:  
\_\_\_\_\_

Appellant(s):  
No legal or trade union representation

Respondent(s):  
No legal representation

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 1 March 2006, ended without notice by reason of redundancy on 28 November 2008.

The Tribunal was told that the respondent was a small employer and that there been a fall-off in work for the appellant culminating in his ultimate redundancy on 28 November 2008. There was not enough work for the appellant to continue and the respondent said that he had to let him go. Work had just been going from week to week. The respondent no longer had money to make payments to the appellant.

Regarding notice the appellant said that he had got notice of his dismissal when he was eventually let go but there was no suggestion that he had received formal notification of his termination date in advance of that date.

**Determination:**

The appellant's gross weekly pay was assessed at €425.00 by the Tribunal after it had heard, during the hearing, of the appellant's monthly earnings over the course of his employment.

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:	02 December 1980
Date of commencement:	01 March 2006
Date of termination:	28 November 2008
Gross weekly pay:	€425.00

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

Allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €850.00 (this amount being equivalent to two weeks' gross pay at €425.00 per week).

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)

