

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

EMPLOYEE

against

EMPLOYER

Under

CASE NO.

RP1368/2010

MN965/2010

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 J Flanagan BL

Members: Mr G Andrews
Mr M O'Reilly

heard this appeal at Wicklow on 28th April 2011

Representation:

Appellant: In person

Respondent: No appearance or representation.

The decision of the Tribunal was as follows:

Determination:

The Tribunal is satisfied that the respondent was properly notified of this hearing. Neither the respondent nor a representative on its behalf made an appearance. The Tribunal notes a solicitor's letter dated 13th December 2010 and addressed to the Tribunal communicating the instructions of a director of the respondent that the respondent had ceased trading at the end of 2009 and that there were insufficient funds to pursue a liquidation of the company.

Having heard the appellant the Tribunal finds that her employment terminated with the respondent by way of redundancy. Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007 is allowed and the appellant is awarded a statutory lump sum under those Acts, and based on the following:

Date of Birth: 9th November 1947

Date of Commencement: 14th October 2003
Date of Termination: 21st January 2010
Gross Weekly Wage: €88.45

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

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is allowed and the appellant is awarded €353.80 as compensation under those Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)