

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE - *appellant*

RP2679/2010

against

EMPLOYER - *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr E. Handley
Mr. S. O'Donnell

heard this appeal at Dublin on 21st April 2011

Representation:

Appellant(s) : In Person

Respondent(s) : In Person

Determination

The Tribunal heard evidence that the appellant worked in one of the respondent's stores located at Dublin Airport. Following the closure of that store the appellant was offered work at either of the respondent's other stores in the Dundrum Town Centre or in Dublin city centre. She did not accept the offer of work in either store and has not worked for the respondent since the closure of the Dublin Airport store. The respondent has continued to pay her wages and has undertaken to continue paying her wages until September 2011 when she is due to reach her 65th birthday

The Tribunal finds that she is still in the respondent's employment and not redundant. The claim fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)

