

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE –*appellant*

CASE NO.
RP1853/2010
MN1309/2010

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 J McGovern BL

Members: Ms A Gaule
Mr A Butler

heard this appeal at Dublin on 13th April 2011

Representation:

Appellant(s): Ms Barbara Mebtouche
Triana, Independent Advice & Information Bureau
13 Store Street, Dublin 1

Respondent(s): No appearance by Liquidator

The decision of the Tribunal was as follows:-

There was no appearance by the Liquidator. The Tribunal is satisfied that the Liquidator was on notice of the hearing. The appellant gave evidence that his employment was continuous from January 20th 2008 until March 11th 2010. There was a transfer to a sister company at the end of 2008. He did not receive a P45 at that time. He produced a letter from the respondent company dated March 24th 2010 which stated that his start date with the company was January 20th 2008. There was a meeting in February 2010 at which the staff were informed that the company would close in March 2010.

Determination:

Based on the uncontested evidence of the appellant the Tribunal finds that a redundancy situation existed and that 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: 14th January 1964
Date of Commencement: 20th January 2008
Date of Termination: 11th March 2010
Weekly Gross Pay: €495.00

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

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 was withdrawn during the hearing.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)