

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM(S) OF:**  
EMPLOYEE - *claimant*

**CASE NO.**  
UD2183.09  
RP2455.09  
MN2024.09

Against

EMPLOYER - *respondent*

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**  
**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 P Hurley

Members: Mr W O'Carroll  
Ms H Murphy

heard this claim at Galway on 8th February 2011

Representation:

Claimant: In person

Respondent: No appearance or representation

The determination of the Tribunal was as follows:

There was no appearance by or representation on behalf of the respondent company. The appellant gave evidence that he was dismissed without notice on October 10<sup>th</sup> 2008. He was one of four employees let go. He applied to his employer for a redundancy payment but he was refused.

**Determination:**

Based on the uncontested evidence of the claimant 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: 5<sup>th</sup> January 1966  
Date of Commencement: 1<sup>st</sup> March 2005  
Date of Termination: 10<sup>th</sup> October 2008  
Weekly Gross Pay: €600.00

This award is made subject to the claimant having been in insurable employment under the Social

Welfare Acts during the relevant period.

Accordingly, the claim under the Unfair Dismissals Acts, 1977 to 2007, is dismissed as awards made under the Unfair Dismissals Acts and the Redundancy Payments Acts are mutually exclusive.

The Tribunal awards the appellant €1,200 (one thousand two hundred euro) in respect of two weeks' notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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