

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE  
MN661/2010

RP958/2010

against  
EMPLOYER

under

### MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. O'Leary B L  
Members: Mr. T. O'Sullivan  
Ms. A. Moore

heard this appeal at Cavan on 6th May 2011

Representation:

\_\_\_\_\_

Appellant:  
The appellant in person

Respondent:  
No appearance by or on behalf of the respondent

There was no appearance by or on behalf of the respondent and the Tribunal is satisfied that the respondent was properly notified of the hearing.

The appellant stated that he commenced employment with the respondent on 5<sup>th</sup> September 2003 and that he was let go on 18<sup>th</sup> December 2009. According to the appellant he was told, on 18<sup>th</sup> December 2009, that there was no more work available and was let go with immediate affect and was not paid in lieu of notice. The appellant also stated that he had not received any redundancy lump sum payment and that his gross pay had been €640.00 per week.

### **Determination**

Having considered the uncontested evidence of the appellant the Tribunal is satisfied that the appellant was made redundant on 18<sup>th</sup> December 2009 without notice. Accordingly the Tribunal awards the appellant €2,560.00 under the Minimum Notice And Terms Of Employment Acts, 1973 to 2005 and determines that the actual date of termination of employment was 15<sup>th</sup> January 2010.

The Tribunal also awards the appellant a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	18 <sup>th</sup> October 1964
Commencement Date	5 <sup>th</sup> September 2003
Date notice received	N/A
Termination date	15 <sup>th</sup> January 2010
Gross pay	€640.00

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

It should be noted that any payment made through the Social Insurance Fund is calculated based on maximum gross earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

