

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE –*appellant*

CASE NO.
RP1279/2010
MN889/2010

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: Mr C Corcoran BL

Members: Mr A O'Mara
Mr G Whyte

heard this appeal at Trim on 6th May 2011

Representation:

Appellant(s): Ms Amy Sweeney BL
The Law Library, Dublin 7

Respondent(s): Mr John McMullin
Harte & Associates, Solicitors
10 Pembroke Road, Dublin 4

The decision of the Tribunal was as follows:-

The respondent company was not present at the hearing but was represented by a solicitor. The respondent's solicitor conceded that a redundancy situation existed and confirmed that the appellant's employer was the named respondent.

The appellant gave evidence that her employment as a corporate events manager commenced in September 2006. The company organised events at Slane, where she worked for 1½ years. She worked for a period of time in Dublin for the same company. In February 2009 her employer asked her to work in a new restaurant in Newry which was operated under a different company. She worked there until September 2009 when her employer told her that the restaurant was not busy enough to justify her wages and he asked her to return to Slane.

At the end of October 2009 her employer told her that the company's contract in Slane had ended

and that he had no more work for her. He issued her with one month's notice, but she was not paid this or her redundancy payment.

Determination:

Based on the uncontested evidence of the appellant the Tribunal finds that a redundancy situation existed and that she is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following information:

| | |
|-----------------------|---------------------------------|
| Date of Birth: | 21 st February 1981 |
| Date of Commencement: | 13 th September 2006 |
| Date of Termination: | 30 th November 2009 |
| Weekly Gross Pay: | €673.07 |

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

The Tribunal awards the appellant €1346.14 (one thousand, three hundred and forty-six euro, fourteen cent) in respect of two weeks' pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)