

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:  
EMPLOYEE *-claimant*

CASE NO.  
UD57/2010  
RP83/2010

Against

EMPLOYER *-respondent*

EMPLOYER *-respondent*

Under

### UNFAIR DISMISSALS ACTS, 1977 TO 2007 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms K. T. O'Mahony B.L.

Members: Mr. G. Andrews  
Mr. F. Dorgan

heard this claim at Roscrea on 25 March 2011

#### **Representation:**

---

Claimant: Mr John Spencer, John M Spencer, Solicitor, Cudville, Nenagh, Co Tipperary

Respondents: No appearance or representation

The claim under the Unfair Dismissals Acts, 1977 to 2007 was withdrawn at the outset of the hearing.

#### **Claimant's Case**

The claimant commenced employment on 01 August 2001. Before the claimant went on holidays in July 2009 the respondent informed him that there might not be any work available for him on his return. The claimant tried on a number of occasions to contact the respondent on and after his return but the respondent did not answer his phone calls. Nor did he receive a reply to his letter. The respondent company has since closed.

#### **Determination**

The Tribunal is satisfied that the respondent was on notice of the hearing. Having heard the uncontested evidence of the claimant the Tribunal find that his employment with the respondent was terminated by reason of redundancy. The Tribunal awards the claimant a lump sum redundancy

payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria;

Date of Birth:	10 March 1957
Date of Commencement:	01 October 2001
Date of Termination:	04 August 2009
Gross Weekly Wage:	€430.00

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

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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