

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

MN2285/2010

RP3147/2010

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 T. Taaffe

Members: Ms J. Winters
Ms. A. Moore

heard this appeal at Cavan on 15th July 2011

Representation:

Appellant: Ms. Fidelma Carron, Assistant Branch Organiser, S.I.P.T.U., Port Road, Letterkenny,
Co Donegal

Respondent: In person

The decision of the Tribunal was as follows:-

At the outset an application was made to amend the T1A form. Start date amended to 1st June 2007.

The appellant commenced his employment with the respondent on 1st June 2007. He was employed as a van driver. On 25th June 2010 the appellant was told there was no more work for him and the 26th June 2010 was his last day at work. The appellant sent letters and requests to the respondent but to no avail. He received his P45 approx two months after being let go from his job. He sent an RP50 from to the respondent and received no reply.

The respondent stated that he had only received 12 hours notice in losing a contract. He had advised the appellant that he couldn't guarantee work as the route was in trouble and that he should look at moving to Galway.

He hadn't responded to the RP50 as he was waiting for work to come in.

Determination:

The Tribunal is satisfied that the appellant's employment was terminated on the grounds of redundancy and finds that that appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 20th October 1971
Date of Commencement: 01st June 2007
Date of Termination: 26th June 2010
Gross Weekly Wage: €540.00

The Tribunal also awards the appellant €1080.00 compensation (this being the equivalent of two weeks pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

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)

