

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

RP2887/2010

*appellant*

Against

EMPLOYER

*respondent*

under

## REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms N. O'Carroll-Kelly BL

Members: Mr F. Moloney  
Mr C. Ryan

heard this appeal at Dublin on 10th August 2011

Representation:

\_\_\_\_\_

Appellant(s): The appellant in person

Respondent(s): The general manager in person

The decision of the Tribunal was as follows:-

### **Determination**

The general manager/financial controller told the Tribunal that a contract the respondent had was discontinued. The respondent employed eighty-four employees. Employees were given notice and a number opted to remain with the respondent. The respondent then received a contract and he became a subcontractor. He received a telephone call from the appellant that he was leaving as he had obtained another job. The appellant returned his van; the general manager was disappointed with the short notice that he received. The appellant was a good employee. He paid the appellant his holiday pay. The appellant told him that he was entitled to redundancy and the general manager did not believe that the appellant was entitled to redundancy. If the appellant had not left the respondent he would still be employed with the respondent. The appellant pursued another line of employment, as his employment with the respondent was uncertain.

The Tribunal finds that as the appellant left his employment with the respondent he is not entitled to a redundancy lump sum and therefore his appeal under the Redundancy Payments Acts 1967 to 2007 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

