

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:  
EMPLOYEE *-appellant*  
MN1832/2010

CASE NO.  
RP2524/2010

Against

EMPLOYER

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. J. Fahy

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

heard this appeal at Ennis on 2nd September 2011

#### **Representation:**

Appellant: Ms Sheila Kilkerr, Citizens Information Centre, Bank Place, Bindon Lane,  
Ennis, Co Clare

Respondent: No appearance or representation on behalf of

#### **Appellant's Case**

The appellant worked as a forecourt attendant with the respondent. The respondent owner was hurt in a burglary in February 2010 and as a result the premises were closed. The appellant was informed the premises would be re-opening within a few weeks. The appellant attempted to contact the respondent on numerous occasions. The respondent did not re-open the premises.

#### **Determination**

The Tribunal is satisfied that the respondent was properly on notice of this hearing, but neither he, nor a representative on his behalf attended the hearing. Based on the uncontested evidence of the appellant the Tribunal find that the appeal under the Redundancy Payments Acts, 1967 to 2007 succeeds and awards the appellant a redundancy lump sum based on the following;

Date of Birth	18 <sup>th</sup> March 1986
Employment commenced	23 <sup>rd</sup> June 2007
Employment ended	12 <sup>th</sup> February 2010
Gross weekly pay	€300.00

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

The Tribunal further awards €600.00, being 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)