

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP1384/2011

MN1148/2011

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: Ms. N. O'Carroll-Kelly BL  
Members: Mr. M. Carr  
Ms. A. Moore

heard this appeal at Monaghan on 15th February 2012

Representation:

Appellant:  
Ms Geraldine Duffy, County Monaghan Citizens Information Service,  
23 North Road, Monaghan, Co Monaghan

Respondent:  
The respondent in person

### **Background**

It was common case that the appellant commenced employment with the respondent on 16<sup>th</sup> October 2006 and was made redundant, without notice, on 24<sup>th</sup> September 2010. At the date of termination the appellant was earning €328.55 gross per week.

The respondent stated that he was unable to pay the appellant his minimum notice or redundancy lump sum due to financial constraints.

### **Determination**

Having considered the evidence adduced the Tribunal awards the appellant €657.10 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	9 <sup>th</sup> March 1985
Commencement Date	16 <sup>th</sup> October 2006
Date notice received	N/A
Termination date	24 <sup>th</sup> September 2010
Gross pay	€328.55

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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