

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

EMPLOYEE

CASE NO.

MN1880/2010

- Appellant RP2637/2010

Against

EMPLOYER

- Respondent

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. D. Mac Carthy S C

Members: Mr R. Murphy
Mr. J. Dorney

heard this appeal at Naas on 15th February 2012.

Representation:

Appellant: In person

Respondent: In person

The decision of the Tribunal was as follows:-

Determination:

The respondent conceded that the appellant is entitled to a redundancy payment and the appellant conceded that the claim for notice would not succeed because of the service of an RP9.

The Tribunal finds that the appellant was dismissed by reason of redundancy and is entitled to a redundancy payment based on:

Date of Birth:	31 st March 1959
Service from:	4 th February 2004 to 15 th June 2010
Normal Weekly Remuneration:	€600.00
Non-reckonable service:	11 th September 2009 to 15 th June 2010
Amount of Redundancy:	€7332.00

This award is subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

On the evidence presented the Tribunal is satisfied that the respondent is unable to pay the amount of the Redundancy Lump Sum and that same is payable from the Social Insurance Fund.

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is dismissed.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)