

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:
EMPLOYEE *-claimant*

CASE NO.
UD2108/2010
RP2872/2010
MN2068/2010
WT937/2010

Against

EMPLOYER *-respondent*

Under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr C. Corcoran B.L.

Members: Mr M. Carr
Mr J. Flannery

heard this claim at Trim on 11th January 2012

Representation:

Claimant: In Person

Respondent: No appearance or representation on behalf of

The claim under the Unfair Dismissals Acts 1977 to 2007 was withdrawn at the outset.

Claimant's Case

The claimant worked for the respondent as a site foreman in the construction industry. The claimant's employment was terminated without notice when the respondent handed him his P45 and told him there was no more work available.

Determination

The Tribunal is satisfied based on his uncontested evidence that he was dismissed by reason of redundancy. Accordingly the Tribunal awards him a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following:

Date of Birth: 18th May 1978
Employment Start Date: 15th March 2007
Employment Termination Date: 18th February 2010
Gross weekly pay: €607.69

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. Please note that a weekly ceiling of €600 applies to all awards made from the Social Insurance Fund.

The Tribunal finds that the claim under the Minimum Notice and Terms of Employment Acts 1973 to 2005 succeeds and awards the claimant €1215.38 being the equivalent to two weeks' pay in lieu of notice.

The Tribunal awards the claimant €364.60 being the equivalent to 3 days annual leave under the Organisation of Working Time Act 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)