

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

EMPLOYEE

- *Claimant*

CASE NO.

UD432/2011

WT149/11

MN441/11

RP569/11

Against

EMPLOYER

- *Respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr P. Hurley

Members: Mr J. Hennessy
Ms S. Kelly

heard this claim at Portlaoise on 9th May 2012

Representation:

Claimant: In Person

Respondent: No appearance

The determination of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent at the hearing on 9th May 2012. At the outset of the hearing the claimant confirmed that he was only pursuing his claim under the Redundancy Payments Acts 1967 to 2007. He withdrew his claims under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, Organisation of Working Time Act, 1997, and the Unfair Dismissals Acts, 1977 to 2007.

The claimant told the Tribunal that he was employed by the respondent as a plant operator since May 2005. His last days of work for the respondent were 14th and 15th May 2010. Between May 2010 and November 2010 the claimant tried to contact the respondent on numerous occasions including via text message requesting his redundancy. He also sent the respondent an RP9 form but received no reply.

Determination

Based on the claimant's uncontested evidence the Tribunal is satisfied that a redundancy situation existed and he is entitled to a lump sum under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth: 22nd July 1975
Date of Commencement: 5th May 2005
Date of Termination: 25th November 2010
Gross Pay: €577.25
Non Reckonable Service: 16th May 2010 to 25th November 2010

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)