

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

CASE NO.
RP333/2012

against

EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy SC

Members: Mr. R. Murphy
Mr. J. Maher

heard this appeal in Dublin on 12 June 2012 and 27 July 2012

Representation:

Appellant(s):

Mr. Rory Leonard, RJ Leonard & Co., Business Consultants,
Grange House, 60 Beaumont Avenue, Dublin 14

Respondent(s):

No legal representation

The decision of the Tribunal was as follows:-

The claimant sought a redundancy lump sum after employment from December 2009 to February 2012. JH (for whom the claimant worked) contended to the Tribunal that there had been a transfer of undertaking to RF (another employer). The claimant stated to the Tribunal that she had worked full-time for JH but that, after four days in which she had shown RF how to conduct the business he had taken on, she had only been offered part-time work by RF.

Determination:

The Tribunal was not satisfied that the claimant was offered the same full-time job by RF as she had done for JH.

The claimant was dismissed by reason of redundancy.

The claimant is entitled to a redundancy payment based on:

Date of birth: 02 October 1981

Service from: 07 December 2009 to 02 February 2012

Normal weekly remuneration: €337.50

Non-reckonable service: nil

Amount of redundancy payment: €1795.50

A ceiling of €600.00 applies to any payments from the Social Insurance Fund and this award is subject to the claimant having been in employment which is insurable for all purposes under the Social Welfare Consolidation Act, 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

