

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

CASE NO.
RP977/2011
MN756/2011

against

EMPLOYER

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. J. McGovern BL

Members: Mr. E. Handley
Mr. F. Keoghan

heard this case in Dublin on 15 August 2012

Representation:

Appellant(s):

Respondent(s):

No legal representation

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 28 May 2007, ended without notice by reason of redundancy on 11 February 2010. His gross weekly pay was assessed at €750.00 based on a net figure of €600.00.

The respondent's principal (SS) did not dispute the appellant's entitlement to a redundancy lump sum but contested the minimum notice claim saying that most of the work would be of two weeks duration and that he had given at least two weeks notice. SS did concede that the notice had been verbal.

Determination:

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	12 April 1956
Date of commencement:	28 May 2007
Date of termination:	11 February 2010
Gross weekly pay:	€750.00

It should be noted that payments from the Social Insurance Fund are limited to a maximum of €600.00 per week.

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

It was not established to the satisfaction of the Tribunal that the required formal advance notice had been given that the employment would terminate on a specific date. Allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €1,500.00 (this amount being equivalent to two weeks' gross pay at €750.00 per week) under the said legislation.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

