

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

EMPLOYEE

UD730/2011
RP101 8/2011
MN78 5/2011
WT30 0/2011
TE231/2011

Against

EMPLOYER

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
TERMS OF EMPLOYMENT (INFORMATION) ACTS, 1994 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr E. Handley
Ms M. Maher

heard this claim at Dublin on 4th September 2012

Representation:

Claimant(s):

Respondent(s) :

This case was heard with an appeal by the claimant (TE231.11) against the decision of a Rights Commissioner under the Terms of Employment (Information) Acts, 1994 to 2001 (Ref – R-106398-TE-11/JW).

Determination

The respondent conceded that a redundancy situation existed. The claimant's representative withdrew claims under the Unfair Dismissals Acts, 1977 to 2007, Minimum Notice and Terms of Employment Acts 1973 to 2005 and Organisation of Working Time Act 1997.

The Tribunal awards the claimant a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following information:

Date of Birth:	28 September 1964
Service from:	10 September 2008 to 18 December 2010
Normal weekly remuneration:	€600.00
Non-reckonable service:	None
Amount of redundancy payment:	€3324.00

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 heard evidence from the employee regarding his appeal of the Rights Commissioners decision under the Terms of Employment (Information) Acts, 1994 to 2001. He accepted that his signature was on a document which was produced by the employer but added that he never had sight of a contract of employment at any stage during his period of employment.

The Tribunal having considered the evidence in the appeal under the Terms of Employment (Information) Acts, 1994 to 2001 upholds the decision of the Rights Commissioner and the appeal fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)