

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE
- *Appellant*

CASE NO.
RP982/2011

Against

EMPLOYER
- *Respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. E. Coughlan

Members: Mr P. Pierce
Mr A. Butler

heard this appeal at Wicklow on 10th July 2012

Representation:

Appellant: In Person

Respondent: In Person

The decision of the Tribunal was as follows:-

The Tribunal heard evidence from both parties. The appellant explained that he was absent from work from September 2009, until the termination of his employment in May 2010, after having an operation on his leg. The respondent confirmed that he did not replace the appellant while he was absent and carried on operating the business with the drivers he had available.

When he returned to work the respondent told him that things had slowed down and if the appellant was not able for the work available he would make him redundant. The respondent issued the appellant with a redundancy certificate. The respondent did not process the redundancy payment for the appellant nor did he inform the appellant of same.

Determination

Based on the evidence submitted the Tribunal finds that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth: 22nd June 1951
Date of Commencement: 15th March 1991
Date of Termination: 14th May 2010
Gross Pay: €565

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

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)