

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

EMPLOYEE
- *appellant*

Against

EMPLOYER

under

CASE NO.
RP1420/2011
MN1177/2011

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 N. O'Carroll-Kelly BL

Members: Mr. A. O'Mara
Mr O. Nulty

heard this appeal at Drogheda on 20th September 2012

Representation:

Appellant(s) : James Allen & Co, Solicitors, 49 Laurence Street, Drogheda, Co Louth

Respondent(s) : no appearance by or on behalf of the respondent

Determination

The appellant gave evidence of commencing employment with the respondent in October 1983 and continued in employment until the 6 June 2010. He worked as a bar man and was also responsible for stock control. He had no contract of employment throughout his employment. On the 6 June 2010 he was informed by the employer not to open the premises. He did not receive any redundancy payment although he had worked there for twenty seven years.

The Tribunal is satisfied that all parties were properly notified of the hearing. There was no appearance by or on behalf of the respondent. Based on the uncontested evidence of the appellant the Tribunal finds that he was dismissed by reason of redundancy.

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

Date of Birth:	25 March 1966
Date of Commencement:	15 October 1983
Date of Termination:	6 June 2010
Weekly Gross Pay:	€430.00

The Tribunal further awards the appellant €3440.00, being the equivalent of eight weeks' gross pay, in lieu of notice under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

The award made under the Redundancy Payments Acts, 1967 to 2007 is made subject to the appellant having been in insurable employment under the Social Welfare Consolidation Act, 2005 during the relevant period. It should be noted that payments from the social insurance fund are limited to a maximum of €600 per week.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)