

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

EMPLOYEE - Claimant

MN626/2011

Against

EMPLOYER - Respondent

under

CASE NO.

RP812/2011

UD590/2011

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms O. Madden B.L.

Members: Mr J. Horan
Ms M. Mulcahy

heard this claim at Naas on 22nd November 2012

Representation:

Claimant: In Person

Respondent: No attendance

The determination of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent at the hearing of the above case. At the outset of the hearing the claimant withdrew his claim under the unfair Dismissals Acts 1977 to 2007.

The claimant told the Tribunal that he worked as a transport manager for the respondent company. On the 4th November 2010 he was informed by the respondent that the company would close the following day and all of the vehicles would be taken by the bank. The company ceased operating on 5th November 2010. He did not receive his statutory minimum notice entitlement.

Determination

Based on the uncontested evidence of the claimant the Tribunal finds that a genuine redundancy situation existed and awards the claimant a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth: 20th December 1967
Date of Commencement: 1st February 2003
Date of Termination: 5th November 2010
Gross Pay: €510

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

The Tribunal awards the claimant €2,040.00 (four week's pay) in respect of his statutory entitlement under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)