CLAIMS OF: CASE NOS.

EMPLOYEE – *claimant*   UD960/2011
                                                                   RP1316/2011
                                                                   MN1094/2011

against

EMPLOYER – *respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
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 K T O'Mahony BL

Members: Mr P. Casey
                Mr D. McEvoy

heard this claim at Cork on 23rd October 2012

Representation:

Claimant: Mr Brendan O'Sullivan of O'Donnell Breen-Walsh O'Donoghue
                        Solicitors, Trinity House, 8 Georges Quay, Cork

Respondent: No appearance or representation

The determination of the Tribunal was as follows:

The claim under the Unfair Dismissals Acts 1977 to 2007 was withdrawn.

Determination

The appellant worked in the respondent's diner. She commenced employment with one of the former owners of the business in April 2000. The business underwent a number of transfers, the final transfer being to the respondent in November 2009. Thus, under the *European Communities (Protection of Employees on Transfer of Undertakings) Regulations, 2003* the appellant has continuity of service from April 2000 until the termination of her employment by the respondent. The business closed in November 2010. The Tribunal is satisfied that the appellant's dismissal was by reason of redundancy. The Tribunal awards the appellant

redundancy lump sum payment, under the Redundancy Payments Acts, 1967 to 2007, based onthe following data:

Date of birth: 25 September 1951
Date Employment Began 02 April 2000
Date Employment Ended 22 November 2010
Gross Weekly Pay   €336.00

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

The claim under the Minimum Notice and Terms of Employment Acts 1973 to 2005 succeeds and the appellant is awarded the sum of €2,016.00 being 6 weeks' pay.

Sealed with the Seal of the

Employment Appeals Tribunal

This   _____

(Sgd.) _____
  (CHAIRMAN)