

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE

CASE NO.
UD836/2011
RP1144/2011
MN950/2011

against
EMPLOYER

WT342/2011

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr N. Russell

Members: Mr J. Browne
Mr F. Dorgan

heard this claim at Waterford on 10th January 2013

Representation:

Claimant: In person

Respondent: Not present or represented

The determination of the Tribunal was as follows:-

The Tribunal is satisfied that the respondent was properly notified of this hearing.
Neither the respondent nor a representative on its behalf appeared for this hearing.

Determination:

Having heard brief evidence from the claimant the Tribunal finds that his employment with the respondent was terminated by way of redundancy. Accordingly his appeal under the Redundancy Payments Acts, 1967 to 2007 is allowed and the appellant is awarded a statutory redundancy payment under those Acts, and based on the following:

Date of Birth: 1st January 1980
Date of Commencement : 20th September 2007
Date of Termination: 10th April 2010
Gross Weekly Wage: €270.00

This award is made subject to the appellant having been in insurable employment under the relevant Social Welfare Acts 2005 during the above period.

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 was withdrawn.

The Tribunal also allows the appeal under the Organisation of working Time Act, 1997 and awards the appellant €108.00 as compensation for outstanding leave.

The claim under the Unfair Dismissals Acts, 1977 to 2007 must fall as the appellant's employment ended with the respondent by way of redundancy, which by its nature and according to statute is a fair dismissal.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)