

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE – *appellant*

CASE NO.
RP1882/2011

Against

EMPLOYER – *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P McGrath BL

Members: Mr M Flood
Ms E Brezina

heard this appeal at Trim on 16th January 2013

Representation:

Appellant(s): In person

Respondent(s): Company representation

The decision of the Tribunal was as follows:-

The appellant began working for the respondent in April 2008. In August 2010 she took two weeks' holidays. On her return from holiday the respondent had no work to offer her. In January 2011 she requested her P45 as there was still no work for her. She sought a redundancy payment but the respondent would not pay her.

The respondent explained that as the appellant had asked for her P45 she had voluntarily left her employment and was therefore not entitled to a redundancy payment. The respondent did not dispute the appellant's version of events. The appellant worked as a contract cleaner at a hospital. While the appellant was on holidays the hospital informed the respondent that due to new requirements the appellant's English was not sufficient to continue working there. The respondent had no other work for the appellant. She last worked for them at the end of July 2010.

Determination:

The Tribunal is satisfied that a redundancy situation occurred where the claimant had been laid off where it was hoped future work could be obtained. Accordingly, the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following information:

Date of Birth:	24 October 1964
Date of Commencement:	1 April 2008
Date of Termination:	29 July 2010
Weekly Gross Pay:	€347.75

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

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)