

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP2712/2011

MN2144/2011

Against

EMPLOYER

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. N. O'Carroll-Kelly BL

Members: Mr. C. Mchugh
Mr. J. Jordan

heard this appeal at Wicklow on 25th January 2013

Representation:

Appellant:

Mr Tim Maguire, Clondalkin Citizens Information Centre,
Luke Cullen House, Oakfield Industrial Estate, Clondalkin, Dublin 22

Respondent:

No appearance by or on behalf of the respondent

There was no appearance by or on behalf of the respondent and the Tribunal is satisfied that she was properly notified of the hearing.

Appellant's case

The appellant stated that he commenced employment with the respondent on 26th April 2004 and was let go, without notice or payment in lieu thereof, when the business closed down on 18th August 2011. At the time of termination of employment the appellant was being paid €600.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards him €2,400.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and alump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based onthe following criteria.

DOB	22 nd March 1963
Commencement Date	26 th April 2004
Date notice received	N/A
Termination date	18 th August 2011
Gross pay	€600.00 per week

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that any payment made through the Social Insurance Fund is based on maximum earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)