

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE,
-claimant

CASE NO.
RP36/2012

against

EMPLOYER *-respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. N. Russell
Members: Mr. J. Horan
Mr. N. Dowling

heard this claim at Wexford on 20th March 2013

Representation:

Claimants: In person

Respondent:

Determination:

The witness for Nolan Transport gave evidence to the Tribunal to the effect that the Claimant had been dismissed for failing to adhere to the Company's Absenteeism Policy. Evidence was given of written communication to the Claimant that went unanswered and of efforts to contact him by phone.

The Claimant's evidence was to the effect that he changed address, omitted to advise the Company and had not received the correspondence. He informed the Tribunal that he was told that he no longer worked for the Company on phoning to advise that he was ready to return to work after a period of illness. He further informed the Tribunal that it was on attending before the Tribunal and on hearing the Company's evidence that he first learned of the reason for his dismissal.

This matter came before the Tribunal by way of a claim for a Redundancy Payment. The Tribunal is satisfied that the Claimant was not dismissed by reason of Redundancy and, accordingly, the Claim fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

