

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE –**Appellant**

RP349/2011

against

EMPLOYER –**Respondent**

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Smith

Members: Mr D. Morrison
Ms A. Moore

heard this appeal at Letterkenny on 1 May
and 3 September 2012

Representation:

Appellant:

Respondent:

The determination of the Tribunal was as follows:

Determination:

Whilst it was common case that the appellant had worked in the respondent's butcher's shop since 1996 there was a dispute between the parties about what the appellant did after being told that the respondent intended to close the shop. The appellant's position was that he went to work in another shop for a different butcher whereas the respondent's position was that the appellant had continued to work in the same shop as previously when the other butcher took over this shop. The second hearing day was facilitated to allow the respondent to adduce evidence from the other butcher but he did not appear to give evidence. Noting that the respondent served notification of redundancy form RP50 on the appellant the Tribunal is satisfied that the appellant was dismissed by reason of redundancy and is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria

Date of Birth

6 April 1976

Employment commenced

15 December 1996

Employment ended

5 June 2010

Gross weekly pay

€700-00

This award is made subject to the appellant having been in insurable employment under the Social Welfare Consolidation Act, 2005 during the relevant period. It should be noted that payments from the social insurance fund are limited to a maximum of €600-00 per week.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)