

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE – appellant

CASE NO.
RP1668/2009
MN1481/2009

against

EMPLOYER – respondent

Under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr T Ryan

Members: Mr T O'Sullivan
Mr O Nulty

heard this appeal at Dundalk on 26th January 2010

Representation:

Appellant(s): Mr William Quigley
Unite
5 Whitefriars, Aungier Street, Dublin 2

Respondent(s): Ms Emma Coffey
Smyth & Son, Solicitors
Rope Walk, Drogheda, Co Louth

The decision of the Tribunal was as follows:

There was no appearance by the respondent. The respondent's representative explained that a transfer of undertakings occurred in July 2007 and that the respondent company offered the appellant work. The respondent's representative confirmed that she was representing the company and admitted the claims against the company.

The appellant commenced his employment in January 2005 and was employed continuously until July 2008. He did not receive any written notice of a transfer of undertakings. On Monday 22nd July 2008 he was told that he was let go as of the previous Friday 20th July 2008.

Determination:

The Tribunal finds that a redundancy situation existed and that 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:	2 nd March 1961
Date of Commencement:	17 th January 2005
Date of Termination:	20 th July 2008
Gross Weekly Pay:	€700.00

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

The Tribunal awards the appellant €1400.00 (one thousand four hundred euro) in respect of two weeks notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)