

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
RP363/2011
MN303/2011

against

EMPLOYER

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 J Flanagan BL

Members: Mr G Andrews
Mr M. O'Reilly

heard this appeal at Wicklow on 28th April 2011

Representation:

Appellant: In person

Respondent: No appearance or representation

The decision of the Tribunal was as follows:

Determination:

The Tribunal is satisfied that the respondent was properly notified of this hearing. Neither the respondent nor a representative on its behalf made an appearance. The Tribunal notes a solicitor's letter dated 13th December 2010 and addressed to the Tribunal communicating the instructions of a director of the respondent that the respondent had ceased trading at the end of 2009 and that there were insufficient funds to pursue a liquidation of the company.

The Tribunal notes that the appellant's application was received on 6th January 2011 and extends time for the making of a claim under the Redundancy Payments Acts.

Having heard the appellant the Tribunal finds that his employment with the respondent terminated by way of redundancy. Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007 is allowed and the appellant is awarded a statutory lump sum under these Acts, and calculated on the basis of the following criteria:

Date of Birth: 7th December 1978

Date of Commencement: 18th May 2007
Date of Termination: 6th January 2010
Gross Weekly Wage: €727.76

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

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeeds and the appellant is awarded €1455.52 as compensation under these Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)