

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE *-appellant*

CASE NO.
RP562/2012

against
EMPLOYER *-respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr P. Hurley

Members: Mr J. Hennessy
Mr F. Dorgan

heard this appeal at Thurles on 29th May 2013

Representation:

Appellant: In person

Respondent: Neither the respondent nor a representative on her behalf attended the hearing.

Summary:

The Tribunal was satisfied that the respondent was notified of the hearing. The Tribunal was in receipt of a T2 form from the respondent setting out her position.

The appellant informed the Tribunal that her employment had terminated by reason of redundancy. The appellant had received a redundancy payment based on the last four years of her employment. The appellant submitted that she was due a further redundancy payment as her employment had transferred to the respondent in 2007. The appellant did not receive a redundancy payment from her original employer at that time. Following the transfer the venue and nature of the appellant's work remained unchanged.

Determination:

Based on the appellant's uncontested evidence the Tribunal is satisfied that there was a transfer of the appellant's employment to the respondent. Accordingly, the appellant's redundancy payment under the Redundancy Payments Acts, 1967 to 2007, should be based on the following criteria:

Date of Commencement: 1 March 2001

Date of Termination: 6 August 2011
Gross Weekly Pay: €103.80

Please note: the appellant has already received the sum of €1,080 by way of a redundancy payment.

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

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)