

## EMPLOYMENT APPEALS TRIBUNAL

Appeal of:  
Employee

Case No.  
RP59/2007

against

Employer

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. P. McGrath B.L.

Members: Mr. F. Cunneen  
Mr. S. Mackell

heard this appeal at Naas on 24th January and 8<sup>th</sup> May 2008

#### **Representation:**

Appellant: In person on 24th January 2008 and represented by XXXX  
on 8 May 2008

Respondent: No appearance or representation

#### **The decision of the Tribunal was as follows:**

Giving evidence the appellant stated that he commenced employment with the respondent in June 2000. The appellant was told he would be working on a week-to-week basis after December 2006. During January 2007 the respondent only once attended at the premises. The appellant opened the premises each day but there was no work for him to do. When he spoke to the respondent again he was told there was no money to pay him anymore. The appellant's employment was terminated in January 2007 when the respondent company effectively closed down. The Tribunal required documentary verification of the appellant's earnings for clarification purposes and the matter was adjourned to the 8<sup>th</sup> of May 2008 to facilitate this request.

The Tribunal learned of the untimely death of the applicant, which occurred subsequent to the original hearing on 24 January 2008, and as a consequence his mother represented him on 8 May 2008. She confirmed the applicant's gross weekly wage to the satisfaction of the Tribunal.

**Determination:**

The Tribunal is satisfied that the appellant's employment was terminated by reason of redundancy. The Tribunal awards the appellant a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following:

Date of Birth:	18 June 1984
Date of commencement (part-time):	15 November 1999
Date of commencement (full-time):	18 June 2000
Date of termination:	19 January 2007
Gross weekly wage:	€600.00

A statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

It is appropriate that the personal representative (XXXX) to the estate of the late XXXX should submit this Order for the payment of redundancy monies due.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)