

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:

CASE NO.

Employee

RP648/2007

against  
2 Employers

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2003**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. O'Leary B L

Members: Mr. J. O'Neill  
Mr. P. Woods

heard this appeal at Naas on 23rd July 2008

Representation:

\_\_\_\_\_

Appellant :

Mr Cian Moloney B.L. instructed by Ms Catherine Webberley,  
Wilkinson & Price, Solicitors, 53 South Main Street, Naas, Co. Kildare

Respondent :

XXXX

The decision of the Tribunal was as follows:-

In July 2006 the appellant was notified by the respondent that the company would cease trading with effect from mid August 2006. However due to circumstances outside the control of the respondent the closure did not occur until end November 2006. The appellant applied for redundancy and obtained alternative employment. He tendered his resignation effective from 20<sup>th</sup> November 2006.

**Determination:**

The appellant tendered his resignation effective from 20<sup>th</sup> November 2006 and submitted his claim

form T1A to the Tribunal on 13<sup>th</sup> December 2007. The Tribunal is exercising its jurisdiction to hear this case under Section 12(2)(b) of the Redundancy Payments Act, 1971.

The appellant was given notice that redundancy was to take effect from August 2006. He looked for alternative employment which was his right under the Redundancy Acts. He had notified his employer of his claim for Redundancy before lodging his claim with the Tribunal

The appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following details:

Date of Birth	26 <sup>th</sup> February 1967
Date employment commenced	1 <sup>st</sup> February 2002
Date employment ended	20 <sup>th</sup> November 2006
Gross weekly salary	€530.00

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)

