

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
Employee

CASE NO.  
RP290/2008

against

Employer

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2003**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. P. McGrath BL

Members: Mr. A. O'Mara  
Mr. C. Ryan

heard this appeal in Dublin on 31 October 2008

Representation:

\_\_\_\_\_

Appellant(s) :

In person

Respondent(s) :

No attendance or representation

The decision of the Tribunal was as follows:-

This case was listed for 18 July 2008 but the respondent did not appear and it was noticed that the claim form had been served on a Dublin address rather than on the respondent's registered office which was at an accountancy firm in Kildare. The case was put back to 31 October 2008 so that the claim could be served on the respondent's registered office.

By letter dated 7 October 2008 the accountancy firm which acted as auditors to the respondent wrote to the Tribunal confirming in writing that no defence would be forthcoming at the 31 October 2008 hearing. The letter stated that the respondent had ceased to trade in December 2007 and was heavily insolvent.

On 31 October 2008 the appellant appeared at the Tribunal to seek a redundancy lump sum based on a commencement date of 6 September 2005, a termination date of 21 December 2007, a weekly pay of €86.50 and her date of birth which was 9 November 1958.

**Determination:**

Given that the appellant's redundancy appeal was uncontested, the Tribunal finds that she was dismissed by way of redundancy.

Therefore, the Tribunal finds that she is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003, based on the following details:

Date of birth	09 November 1958
Date employment commenced	06 September 2005
Date employment ended	21 December 2007
Gross weekly salary	€86.50

(It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.)

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)

