

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL(S) OF:**  
Employee

**CASE NO.**  
RP462/2008

Against

Employer

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2003**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr P. Hurley

Members: Mr. J. Redmond  
Dr. A. Clune

heard this appeal at Ennis on 2nd December 2008

Representation:

\_\_\_\_\_

Appellant(s) :  
In person

Respondent(s) :  
No attendance or appearance by or on behalf of the respondent.

The decision of the Tribunal was as follows:-

**Appellant's Case**

On her last day of employment 26<sup>th</sup> November 2007 one of the directors asked the appellant to sign an RP50 form stating that he would pay her redundancy when money became available. She met this director by chance on the 21<sup>st</sup> December and he informed her that the money had come through from the Department of Enterprise and Employment and that he would pay her in January 2008. After a number of communications with this director she eventually received the amount of €5848.08 redundancy pay. This amount is not her full entitlement. She now realises that signing the RP50 form was in correct.

## Determination

It should be noted that the appellant has received €5848.08 of her redundancy lump sum. Based on the uncontroverted evidence of the appellant the Tribunal finds that the appellant is entitled to the outstanding monies due to her under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria:

Date of Birth	18 <sup>th</sup> August 1963
Employment commenced	24 <sup>th</sup> January 2000
Employment ended	26 <sup>th</sup> October 2007
Gross weekly pay	€590.00

It should be noted that a statutory weekly ceiling of €600.00 currently applies to payments from the Social Insurance Fund.

This award is made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

