

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

Employee

-appellant

CASE NO.

RP556/2007

against

Employer

-respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. E. Murray

Members: Mr. J. Hennessy
Ms. H. Kelleher

heard this appeal in Waterford on 19 January 2009

Representation:

Appellant(s) :

Mr. John Purcell, Purcell Cullen Kennedy, Solicitors,
21 Parnell Street, Waterford

Respondent(s) :

No attendance nor representation

The decision of the Tribunal was as follows:-

Giving sworn testimony, the appellant confirmed that his date of birth was 29 May 1950 and that he had worked for the respondent who was now no longer trading. Asked how he had been let go, the appellant said that cheques had come back to employees, that the respondent had started to pay cash and that then the respondent had not had the money to pay wages. There was never a payslip. The appellant refused to work on a "cash-in-hand" basis. His employment commenced on 21 September 1998 and ended on 5 February 2007. His gross weekly pay was €625.00.

Determination

Based on the uncontested evidence of the appellant, the Tribunal accepts that a redundancy situation existed. The appellant is awarded a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003, based on the following information:

Date of Birth	29 May 1950
Date Employment Began	21 September 1998
Date Employment Ended	05 February 2007
Gross Weekly Pay	€625.00

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

Note: - Payments from the Social Insurance Fund are subject to a statutory ceiling of €600.00 per week.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

