

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

- appellant

CASE NO.

RP1340/2008
WT606/2008

Against

Employer

- respondent

under

ORGANISATION OF WORKING TIME ACT, 1997 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. O'Connell B.L.

Members: Mr. L. Tobin
Mr C. Ryan

heard this appeal at Dublin on 1st May 2009.

Representation:

Appellant: In person.

Respondent: In person.

The decision of the Tribunal was as follows:-

Determination:

The respondent informed the Tribunal that he had received a rebate in respect of the appellant's redundancy lump sum payment but had not paid the appellant his entitlement. The respondent stated that the appellant had signed the RP50 redundancy form.

The appellant did not recall signing the RP50 form and had not received his redundancy lump sum.

The Tribunal finds that the appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth: 20th April 1957
Date of Commencement: 1st May 2004
Date of Termination: 27th March 2008
Gross Weekly Wage: €1,115.38

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

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

The Tribunal also awards the appellant €1,115.38 under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)