

## EMPLOYMENT APPEALS TRIBUNAL

### CLAIM(S) OF:

Employee

- *claimant*

### CASE NO.

UD1166/2008

RP1002/2008

against

Employer

- *respondent*

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr M. Gilvarry

Members: Mr. D. Morrison  
Ms. R. Kerrigan

heard this claim at Donegal on 21st April 2009  
and 23rd June 2009

### Representation:

Claimant(s) : Ms Siobhán McCormack, Citizens Information Centre, Public Services Centre,  
Drumlonagher, Donegal Town, Co Donegal

Respondent(s) : Mr. Seamus Farren, Farren Roarty Accountants, Thorn Road, Magherennan,  
Co Donegal  
Mr. Kieran Wallace, KPMG Restructuring, 1 Stokes Place, St Stephen's Green,  
Dublin 2

The determination of the Tribunal was as follows:-

Some days before the second day of the hearing it was brought to the Secretariat's attention that two liquidators had been appointed to the respondent company.

### Determination:

The liquidator conceded that a redundancy situation existed. The Tribunal awards the appellant a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria:

Date of Birth:	23 April 1959
Date of Commencement:	01 October 1988
Date of Termination:	25 April 2008
Gross Pay:	€ 771.85

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

These awards are made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

The claim under the Unfair Dismissals Acts, 1977 to 2001 was dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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