

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
Employee

CASE NO.  
- Appellant RP981/2008

against

Employer

- Respondent

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. Quinn B.L.

Members: Mr. G. Phelan  
Dr. A. Clune

heard this appeal at Limerick on 1st May 2009

#### **Representation:**

Appellant: In Person

Respondent: XXXX A Director of the company

#### **The decision of the Tribunal was as follows:**

In his evidence to the Tribunal, the Director of the Respondent Company conceded that the Appellant was entitled to a redundancy payment. It appeared that the Director had endeavoured to restructure the Respondent Company to no avail and that no further work could be offered to the Appellant. The evidence of the Respondent's Director was that due to financial difficulties the company was unable to pay the Appellant's redundancy entitlement to him.

#### **Determination:**

Accordingly, the Tribunal unanimously determined that the Appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following agreed criteria:

Date of Birth:	26 <sup>th</sup> June 1961
Date of Commencement:	24 <sup>th</sup> January 2005
Date of Termination:	24 <sup>th</sup> January 2008
Gross Weekly Pay:	€500.00

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)