

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

(Appellant)

CASE NO.

RP236/2009

against

Employer

(Respondent)

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. S. Ó Riordáin B.L.

Members: Mr. E. Handley  
Mr. J. Dorney

heard this appeal at Kilkenny on 9th October 2009

#### **Representation:**

Appellant: In person

Respondent: No appearance or representation

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

The Tribunal was in receipt of correspondence (dated the 27<sup>th</sup> March 2009) from the liquidator in relation to this claim.

The appellant gave evidence that on the 11<sup>th</sup> April 2008 the Managing Director informed him that he was placed on lay-off for a period of six weeks. The appellant did not receive a P45 at this time.

The appellant resumed his employment with the respondent in June 2008. The respondent provided the appellant with two or three days work per week until the 21<sup>st</sup> November 2008 when the Managing Director informed him that the respondent had ceased trading. The appellant was subsequently provided with his P45.

#### **Determination:**

Based on the uncontested evidence of the appellant, the Tribunal awards a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 17<sup>th</sup> September 1968

Date of Commencement: 20<sup>th</sup> June 2005

Date of Termination: 21<sup>st</sup> November 2008

Gross Weekly Pay: €642.28

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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)