

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
Employee - appellant

CASE NO.  
RP1052/2008  
MN1195/2009

against

Employer - respondent

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. S. Behan BL

Members: Mr. M. Forde  
Ms. P. Doyle

heard this appeal in Cork on 15 June 2009

Representation:

\_\_\_\_\_

Appellant(s):  
In person

Respondent(s):  
No legal representation

The decision of the Tribunal was as follows:-

#### **Appellant's Case**

The appellant sought redundancy and minimum notice awards on the grounds that he had worked for the respondent as a storeman from 14 February 2000 to 30 June 2008 when he had been made redundant without notice. He claimed that his gross weekly pay had been €598.09 (including a meal allowance of €38.09). The appellant told the Tribunal that he had not yet found new employment.

#### **Respondent's Case**

The respondent's accountant conceded that the appellant's position had ceased in that the

respondent had had to cut back, that there had been a wind-down and that a storeman function no longer existed. He also conceded that the respondent's turnover had fallen greatly, that the respondent should be wound up and that there might be a difficulty about paying the appellant's award.

**Determination:**

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

Date of birth: 10 January 1965  
Date of commencement: 14 February 2000  
Date of termination: 30 June 2008  
Gross weekly pay: €598.09

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

The Tribunal also awards the appellant, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the sum of €2,392.36 (this amount being equivalent to four weeks' gross pay at €598.09 per week).

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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