

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE  
- **appellant**

RP734/2009

against

EMPLOYER  
- **respondent**

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr E. Murray

Members: Mr J. Hennessy  
Mr J. McDonnell

heard this appeal at Waterford on 16th October 2009

Representation:

\_\_\_\_\_

Appellant :  
In Person

Respondent :  
Mr Nigel Daly

The decision of the Tribunal was as follows:-

The respondent is a sole trader and has been in business for twenty-six years. Due to the downturn in the industry he had to make some of his employees redundant. He was in a position to pay two of the employees their redundancy however he then had a cash-flow problem and was not in a position to pay other employees including the appellant. The appellant was an excellent worker.

### **Determination:**

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

Date of Birth	01 <sup>st</sup> May 1978
Date employment commenced	14 <sup>th</sup> September 1998
Date employment ended	19 <sup>th</sup> December 2008
Gross weekly pay	€640.77

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

Please note also that a weekly ceiling of €600 applies to all payments from the Social Insurance Fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

