

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL(S) OF:**  
EMPLOYEE – *appellant*

**CASE NO.**  
RP1106/2008

against

EMPLOYER – *respondent*

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. M. O'Connell B.L.

Members: Mr. J. Horan  
Mr. C. Ryan

heard this appeal at Dublin on 30th October 2009

**Representation:**

Appellant(s): In person

Respondent(s): In person

The decision of the Tribunal was as follows:-

**Appellant's case:**

In his sworn evidence, the appellant confirmed the details of his employment for the period when the respondent employed him. The respondent had traded under a different name until this entity ceased trading in April 1994. At that time, the appellant was paid redundancy. The respondent re-commenced trading immediately under a new name and the appellant's employment continued.

**Respondent's case:**

In his sworn evidence, the respondent confirmed his details as the appellant's employer. He had traded under his own name. He did not dispute the appellant's claim to redundancy but explained that he did not have the funds to pay same.

**Determination:**

Based on the uncontested evidence, the Tribunal finds that the appeal under the Redundancy Payments Acts, 1967 to 2007 succeeds and awards the appellant a redundancy lump sum, which is to be calculated on the basis of the following criteria:

Date of birth: 25 February 1945  
Date of commencement: 15 April 1994  
Date of termination: 09 August 2008  
Gross weekly wage: €270.00

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)