

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE – appellant

CASE NO.  
RP922/2009

EMPLOYEE – appellant

RP923/2009

against

EMPLOYER – respondent  
Multiflue, Ballinduff, Corrandulla, Co Galway

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J Fahy BL

Members: Mr T Gill  
Mr P Clarke

heard this appeal at Loughrea on 13th January 2010

Representation:

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Appellant(s): In person

Respondent(s): Gerardine C. Costello  
Gerardine C. Costello & Associates  
Solicitors  
Main Street, Oranmore, Co Galway

The decision of the Tribunal was as follows:

There was no appearance by the respondent. The respondent's representative stated that the respondent was seeking protection against bankruptcy through the Courts and that he did not have the funds to pay the appellant's redundancy payment. The respondent's representative did not dispute the facts of the case.

The first named appellant (rp922/09) gave evidence that he commenced his employment on August 21<sup>st</sup> 2006 and finished on March 27<sup>th</sup> 2009. The respondent told him that there was no more work.

The second named appellant (rp923.09) gave evidence that he commenced his employment on

January 24<sup>th</sup> 2005 and finished on March 27<sup>th</sup> 2009. The respondent told him that there was no more work.

Determination:

The Tribunal finds that a redundancy situation existed and that the appellants are entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following information:

Appellant ref: rp922/09

Date of Birth: 14<sup>th</sup> August 1962  
Date of Commencement: 21<sup>st</sup> August 2006  
Date of Termination: 27<sup>th</sup> March 2009  
Gross Weekly Pay: €678.38

Appellant ref: rp923/09

Date of Birth: 1<sup>st</sup> April 1981  
Date of Commencement: 24<sup>th</sup> January 2005  
Date of Termination: 27<sup>th</sup> March 2009  
Gross Weekly Pay: €702.74

These awards are made subject to the appellants having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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