

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE

CASE NO.  
RP510/2010

- *appellant*

against  
EMPLOYER

- *respondent*

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr. A. O'Mara  
Mr. J. Dorney

heard this appeal at Dublin on 17th August 2010

#### **Representation:**

Appellant(s) : In Person

Respondent(s) : Mr. Paul W. Mackay, Malone Power & Co., Chartered Accountants,  
21 Marlborough Road, Donnybrook, Dublin 4

The decision of the Tribunal was as follows:-

#### **Determination:**

The appellant was laid off on June 19<sup>th</sup> 2009. Shortly afterwards the High Court appointed an Examiner to the company but the process did not result in an agreed state of Arrangement. On January 22<sup>nd</sup> 2010 the High Court made an order to wind up the company.

The date of dismissal is deemed to be the date of the winding up of the company.

Based on the evidence of the appellant, the Tribunal find he is entitled to a redundancy lump sum under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth:	12 November 1977
Date of Commencement:	01 June 2006
Date of Termination:	22 January 2010
Gross Pay:	€ 468.00
Non-Reckonable Service:	19 June 2009 to 22 January 2010

Please note that 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)

