

**EMPLOYMENT APPEALS TRIBUNAL**

APPEALS OF:

CASE NO.

EMPLOYEE –**First Named Appellant**

RP3013/2009

EMPLOYEE –**Second Named Appellant**

RP3014/2009

against

EMPLOYER –**Respondent**

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. F. Crawford B.L.

Members: Ms. A. Gaule  
Mr. J. Flannery

heard these appeals at Dublin on 24 August 2010

**Representation:**

Appellants: Mr. Blazej Nowak, Polish Consultancy Enterprise,  
19 Talbot Street, Dublin 1 on behalf of the first named appellant.  
No appearance by the second named appellant

Respondent: No appearance by, or representation on behalf of the respondent

The determination of the Tribunal was as follows:

**Determination:**

The first named appellant received a lump sum payment under the Redundancy Payments Acts from the respondent based on agreed criteria excepting that of gross weekly pay. The payment received by the first named appellant was based on a gross weekly pay of €403-30 per week. The first named appellant produced evidence to show that his gross weekly pay was €611-05 per week.

In these circumstances the Tribunal is satisfied that the first named appellant is entitled to a further lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria as his initial payment was based on an incorrect weekly pay. This further payment is to reflect the difference between the figure based on a weekly pay of €403-30 per week and that

based on €611-05 per week.

Date of Birth	21 March 1978
Employment commenced	16 February 2006
Employment ended	22 January 2009
Gross weekly pay	€611-05

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that payments from the social insurance fund are limited to a maximum of €600-00 per week.

The Tribunal, being satisfied that the second named appellant was properly on notice of the hearing, find that his appeal under the Redundancy Payments Acts, 1967 to 2007 fails for want of prosecution.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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