

CORRECTING ORDER

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE - *appellant*

RP924/2009

against

EMPLOYER - *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms E. Kearney

Members: Mr. W. O'Carroll
Ms H. Murphy

heard this appeal at Loughrea on 26th of April 2010

Representation:

Appellant: In person

Respondent: No appearance or representation on behalf of

This order corrects the original Order dated 28th May 2010 and should be read in conjunction with that Order.

Prior to the hearing a representative on behalf of the respondent submitted a document from the High Court dated the 25th of May 2009 declaring that the person and property of the respondent be protected from bankruptcy and not declaring the respondent bankrupt as stated in the original order.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)

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The decision of the Tribunal was as follows: -

Prior to the hearing a representative on behalf of the respondent submitted a document from the High Court dated the 25th of May 2009 declaring the respondent bankrupt.

Claimant's Case

The claimant worked for a different employer when he was on lay-off. The claimant submitted the RP9 form to the respondent but he did not receive a response.

Determination:

The Tribunal is satisfied that the respondent was duly notified of the hearing. Based on the uncontested evidence of the appellant the Tribunal finds that the appeal under the Redundancy Payments Acts, 1967 to 2007 succeeds and awards the appellant a Redundancy Lump sum under the based on the following criteria:

Date of birth 25th July 1985

Date employment commenced 27th June 2005

Date employment ceased 27th March 2009

Gross weekly pay €620.00

Please note that a statutory weekly ceiling of €600.00 applies to all payments from the Social Insurance Fund.

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

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This _____

(Sgd.) _____
(CHAIRMAN)