

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

CASE NO.
RP13/2010
- *appellant*

against

EMPLOYER

- *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. Gilvarry

Members: Mr. D. Morrison
Ms. R. Kerrigan

heard this appeal at Donegal on 5th October 2010

Representation:

Appellant: Mr Bob Walsh, McGovern Walsh & Co, Solicitors, 5 Hamilton House, Main Street, Manorhamilton, Co Leitrim

Respondent: Mr Pdraig O'Grady, Ibec, 3rd Floor, Pier One, Quay Street, Donegal Town

The decision of the Tribunal was as follows:-

Determination

The respondent conceded that a redundancy situation existed. The Tribunal heard evidence in relation to the appellants' termination date. The appellant confirmed he served a RP9 on the respondent, dated 28th August 2009. One of the purposes of a RP9 is for an employee to give his employer notice in writing terminating his contract of employment; therefore the date the RP9 was served is the termination date.

The Tribunal finds that the appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of birth	18 th February 1983
Date employment commenced	23 rd September 2002
Date employment ceased	28 th August 2009
Gross weekly pay	€ 667.50

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.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

