

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:  
EMPLOYEE

CASE NO.  
RP2598/2009

Against

EMPLOYER  
under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms D. Donovan  
Members: Mr J. Hennessy  
Ms S. Kelly

heard this appeal at Abbeylax on 1st October 2010

Representation:

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Appellant:

Ms Joanna Kwiatkowska, 2 Dairin Alanin, Ballylynan, Co Laois

Respondent:

No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent and the Tribunal is satisfied that they were properly notified of the hearing.

#### **Appellant's case**

The appellant commenced employment with the respondent on 5<sup>th</sup> June 2005. He was placed on temporary lay off from 22<sup>nd</sup> May 2009 and on 2<sup>nd</sup> September 2009 he applied for a redundancy lump sum from the respondent. The appellant gave the respondent two weeks notice which was to run to 16<sup>th</sup> September 2009. There was no reply from the respondent and the appellant never received a redundancy lump sum payment. The gross weekly pay of the appellant at the time of termination of his employment was €1,372.50.

#### **Determination**

Having considered the uncontested evidence of the appellant the Tribunal awards the appellant a

lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	24 <sup>th</sup> December 1981
Commencement Date	5 <sup>th</sup> June 2005
Lay Off	22 <sup>nd</sup> May 2009 to 16 <sup>th</sup> September 2009
Termination date	16 <sup>th</sup> September 2009
Gross pay	€1372.50

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that any payment made from the Social Insurance Fund is calculated on the basis of maximum earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

