

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP37/2011

against

EMPLOYER - respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony BL

Members: Ms. M. Sweeney
Ms. H. Kelleher

heard this appeal in Cork on 24 January 2011

Representation:

Appellant(s):
In person

Respondent(s):
Ms. Siobhan Corbett, Raymond St. J. O'Neill, Solicitors,
27/29 Washington Street, Cork

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 20 February 2006, ended by reason of redundancy in April 2010 (after he received dismissal notice on 2 April 2010). There had been no breaks in his service. His gross weekly pay was €634.61.

The respondent's representative stated that the respondent was not disputing that there had been a redundancy situation. A copy of a letter dated 17 June 2010 from the respondent stated that the respondent had calculated statutory redundancy for the appellant on the basis of a start date of 20 February 2006 and a termination date of 23 April 2010. Rx was a family-run business which had suffered in the downturn and which did not currently have the funds to pay redundancy. Rx hoped to have funds within a year but it wished to avail of the Social Insurance Fund. It would send notification if it could pay in the future.

Determination:

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

Date of birth:	30 May 1983
Date of commencement:	20 February 2006
Date of termination:	23 April 2010
Gross weekly pay:	€634.61

It should be noted that payments from the Social Insurance Fund are limited to a maximum of €600.00 per week.

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)