

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP1435/2010

Against

EMPLOYER

under

ORGANISATION OF WORKING TIME ACT, 1997 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. D. Donovan

Members: Mr. J. Hennessy
Mr. F. Dorgan

heard this appeal at Waterford on 7th February 2011

Representation:

Appellant:

Mr. Blazej Nowak, Polish Consultancy Enterprise, 19 Talbot
Street, Dublin 1

Respondent:

Aisling Lawlor. KPMG, 90 South Mall, Cork

The decision of the Tribunal was as follows:-

The representative from KPMG indicated to the Tribunal that she was present on behalf of the Liquidator to observe the proceedings and to clarify details of employment where appropriate.

The appellant stated that he commenced employment with the respondent on 11th August 2006 and was placed on temporary lay off from 23rd February 2010. He was subsequently made redundant on 6th April 2010. At the time of termination of employment the appellant was being paid €500.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards him a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	13 th June 1970
Commencement Date	11 th August 2006
Lay Off	23 rd February 2010 to 6 th April 2010
Termination date	6 th April 2010
Gross pay	€500.00

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 through the Social Insurance Fund is calculated on maximum earnings of €600.00 gross per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

