

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:

CASE NO.

EMPLOYEE

RP799/2010

Against

EMPLOYER

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. N. Russell  
Members: Mr. J. Hennessy  
Mr. F. Dorgan

heard this appeal at Waterford on 11th February 2011

Representation:

\_\_\_\_\_

Appellant:

XXXXXX

Respondent:

The respondent in person

The decision of the Tribunal was as follows:-

**Appellant's case**

The appellant stated that he commenced employment with the respondent on 1<sup>st</sup> November 2005 and was made redundant on 27<sup>th</sup> February 2009 due to a downturn in business. At the time of termination of employment the appellant was earning €605.00 gross per week. He was not paid a redundancy lump sum.

**Respondent's case**

The respondent agreed that the above dates and rate of pay was correct and that the appellant was made redundant due to a downturn in business. However the respondent claimed inability to pay a redundancy lump sum to the appellant due to financial constraints.

## **Determination**

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

DOB	21 <sup>st</sup> March 1988
Commencement Date	1 <sup>st</sup> November 2005
Date notice received	N/A
Termination date	27 <sup>th</sup> February 2009
Gross pay	€605.00 per week

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 based on maximum earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

