

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP1382/2010

Against

EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. M. O'Connell B.L.

Members: Mr. R. Murphy

Ms. M. Maher

heard this appeal at Dublin on 18th February 2011

Representation:

Appellant:

The appellant in person

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.

The appellant stated that he was a salaried director of the respondent and that the company has ceased trading. An e-mail was received by the appellant in February 2009 telling him that the company was closing down and that he could finish the projects he was working on at that time. The appellant continued to work but was not paid beyond 28th February 2009. He received notice of termination of employment on 13th June 2009 and finished working on 31st July 2009. However a P45 was issued to the appellant showing a cessation date of 28th February 2009.

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	15 th June 1949
Commencement Date	1 st July 2000
Date notice received	13 th June 2009
Termination date	31 st July 2009
Gross pay	€1,240.66 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 gross earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

