

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE – *appellant*

CASE NO.  
RP1717/2010

against

EMPLOYER – *respondent*

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr C Corcoran BL

Members: Mr A O'Mara  
Mr T Brady

heard this appeal at Dublin on 23rd March 2011

Representation:

\_\_\_\_\_

Appellant(s): XXXXX

Respondent(s): No appearance or representation

The decision of the Tribunal was as follows:

There was no appearance by or representation on behalf of the respondent company. The Tribunal is satisfied that the respondent company was on notice of the hearing. The appellant gave evidence that he was dismissed from his employment on October 31<sup>st</sup> 2009 when his employer told him that he could no longer afford to run the business. He applied to his employer for a redundancy payment but did not receive anything. He produced an email from his employer which stated that the appeal was not being contested but that the company could not afford to pay the appellant.

### Determination:

Based on the uncontested evidence of the appellant the Tribunal finds that a redundancy situation existed and that he is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following information:

Date of Birth: 23<sup>rd</sup> June 1952

Date of Commencement: 1<sup>st</sup> September 2007  
Date of Termination: 31<sup>st</sup> October 2009  
Weekly Gross Pay: €846.13

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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