

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP271/2011

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. M. Flood
Mr. N. Dowling

heard this appeal at Dublin on 1st April 2011

Representation:

Appellant:

No appearance by or on behalf of the appellant

Respondent:

The respondent in person

The decision of the Tribunal was as follows:-

There was no appearance by or on behalf of the appellant. The Tribunal are satisfied that he was properly notified of the hearing.

The respondent stated that the appellant commenced employment with the respondent on 18th July 2005 and was let go when the business closed down on 17th June 2010. At the time of termination of employment the appellant was being paid €818.40 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment.

The appellant was on temporary lay off from 4th January 2010 to 17th June 2010

The respondent did not contest the appellants right to a redundancy lump sum. However the respondent is not in a position to make this payment 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	27 th August 1976
Commencement Date	18 th July 2005
Date notice received	N/A
Termination date	17 th June 2010
Gross pay	€818.40
Period of lay off	4 th January 2010 to 17 th June 2010

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 the basis of maximum weekly earnings of €600.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

