

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

-appellant

CASE NO.
RP1056/2010

against

EMPLOYER

- respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr T Gill
Mr F Barry

heard this appeal at Tullamore on 8th April 2011

Representation:

Appellant: In person

Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows: -

Determination:

There was no appearance by or on behalf of the respondent. The Tribunal is satisfied that the respondent was properly notified of this hearing. The Tribunal confirmed by way of a Companies Registration Office search that the registered post had been sent to the address of registered office of the respondent company.

The Tribunal also notes that a director of the respondent had signed a Form RP50 in respect of the appellant. The Tribunal understands that a determination of the Tribunal was sought because the respondent had neither paid the redundancy lump sum due nor had the respondent satisfied the Redundancy Payments Section of the Department of Social Protection that the respondent had an inability to pay redundancy. Based on the uncontroverted evidence of the appellant, the Tribunal finds that the appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 calculated on the basis of the following criteria:

Date of Birth: 18th July 1962

Date of Commencement: 28th April 1997

Date of Termination: 14th August 2009
Gross Pay: € 860.00

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. A statutory weekly ceiling of €600.00 applies to payments under the Redundancy Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)