

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE –*claimant*

CASE NO.
UD2209/2009
RP2503/2009

against

EMPLOYER – *respondent*

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms J McGovern BL

Members: Ms A Gaule
Mr A Butler

heard this claim at Dublin on 13th April 2011

Representation:

Claimant(s): In person

Respondent(s): No appearance by Liquidator

The determination of the Tribunal was as follows:

There was no appearance by the Liquidator. The Tribunal received a fax from the Liquidator on April 12th 2011 stating that he did not intend to appear at the hearing and that he was not contesting the claim. The claimant gave evidence that his employment was terminated by letter of July 1st 2009 and that he had not received a redundancy payment.

Determination:

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

Date of Birth: 25th September 1964
Date of Commencement: 1st August 2005
Date of Termination: 1st July 2009
Weekly Gross Pay: €904.25

This award is made subject to the claimant 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.

As awards made under the Unfair Dismissals Acts and the Redundancy Payments Acts are mutually exclusive the Tribunal dismisses the claim under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)