

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP2760/2010

against
EMPLOYER
under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. C. Egan B.L.
Members: Mr. D. Morrison
 Mr. M. McGarry

heard this appeal at Castlebar on 18th October 2011

Representation:

Appellants: Patrick J McEllin & Son, Solicitors, Courthouse Road, Claremorris, Co Mayo

Respondents: No appearance by or on behalf of the respondent

There was no appearance by or on behalf of the respondent and the Tribunal is satisfied that he was properly notified of the hearing.

Appellant's case

The appellant commenced employment with the respondent on 1st May 1994 and was made redundant on 24th October 2009. He has not received a redundancy lump sum payment.

According to the appellant he was paid €554.00 gross per week. However documents submitted to the Tribunal indicated a different rate of pay to that and the appellant stated that he had received some cash payments.

Determination

The Tribunal considered the P45 and Statement of Income Levy when calculating the appellant's average weekly gross pay. As there was no other documentary evidence to support a higher rate of pay the Tribunal is satisfied that the appellant's gross pay was €396.00 per week.

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	30 th September 1976
Commencement Date	1 st May 1994
Date notice received	24 th October 2009
Termination date	24 th October 2009
Gross pay	€396.00

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)

