

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

RP1539/2010

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 20th October 2011

Representation:

Appellant: The appellant in person

Respondent: The respondent in person

#### **Appellant's case**

The appellant commenced employment with the respondent on 1<sup>st</sup> January 2003 and was placed on temporary lay off from 13<sup>th</sup> December 2008. At the end of April 2009 the appellant was informed that there would be no return to work for him and that his job was now redundant. The appellant has not received any redundancy payment from the respondent. Prior to lay-off the appellant was earning €435.00 gross per week.

#### **Respondent's case**

The respondent confirmed the dates of employment/lay-off and gross pay as given by the appellant. He did not dispute the appellant's entitlement to a redundancy lump sum but stated that he is unable to pay this 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	23 <sup>rd</sup> April 1986
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Commencement Date	1 <sup>st</sup> January 2003
Lay-off	13 <sup>th</sup> December 2008 to 30 <sup>th</sup> April 2009
Termination date	30 <sup>th</sup> April 2009
Gross pay	€435.00

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)

