

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:  
EMPLOYEE  
against

CASE NO.  
RP2997/2010

EMPLOYER

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. M. Levey B.L.  
Members: Mr D. Peakin  
Ms. E. Brezina

heard this appeal at Dublin on 10th October 2011

**Representation:**

Appellant : Mr. Blazej Nowak, Polish Consultancy Enterprise, 107 Amiens Street, Dublin 1

Respondent : Mr Niall O' Neill B L instructed by  
Flanagan Solicitors, Main Street, Saggart, Co Dublin

The decision of the Tribunal was as follows:

Having heard and considered the evidence and submissions in this case the Tribunal finds that the appellant's employment with the respondent terminated by way of redundancy. While in a lay-off position the appellant furnished the respondent with an RP9 form. In the absence of proper counter notice issuing the appellant's application to be made redundant took effect. Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007 succeeds and the appellant is awarded a statutory lump sum under those Acts and based on the following:

Date of Birth: 10 February 1973  
Date of Commencement: 25 June 2007  
Date of Termination: 11 October 2010  
Non Reckonable Service: 26 July 2010 to 10 October 2010  
Gross Weekly Wage: €500.00

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)

