

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE-Claimant

RP963/2011

against

EMPLOYER-Respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. S. McNally

Members: Ms. M. Sweeney

Mr. J. Flavin

heard this appeal at Cork on 1st December 2011

Representation:

Appellant: The appellant in person

Respondent: Director of the respondent

Background

It was common case that the appellant commenced employment with the respondent on 5th July 2005. The appellant was placed on lay-off from 17th December 2010. On the 14th January 2011 the appellant applied for a redundancy payment by completing part B of the form RP9 and handing it to the respondent. The respondent then completed part C of the form RP9 stating that he would be in a position to offer the appellant a return to work within the following 4 weeks. The date of signature on this was 24th January 2011. However there was no such return to work and the appellant then presented a form RP50 to the respondent on 24th February 2011. The respondent did not complete this form.

The Respondent agreed that the appellant was entitled to a redundancy lump sum and stated that he would make such a payment to the appellant. Both parties agreed that the gross pay should be calculated with reference to the P45 submitted to the Tribunal.

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	25 th April 1967
Commencement Date	5 th July 2005
Lay-off	17 th December 2010 to 24 th Feb 2011
Termination date	24 th February 2011
Gross pay	€520.11

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)

