

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

- *Appellant*

CASE NO.
RP253/2010

Against

EMPLOYER

- *Respondent A*

EMPLOYER

- *Respondent B*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Fahy

Members: Mr T. Gill
Ms H. Murphy

heard this appeal at Galway on the 9th May 2011 and the 9th January 2012

Representation:

Appellant(s) : In person

Respondent(s) : In person

Determination

The tribunal heard evidence from both the appellant and the respondent in this case. The Tribunal are satisfied that a transfer of undertaking took place between respondent A and respondent B. The Tribunal are further satisfied that there was no cessation of trading and that respondent B continued to operate the business as here to fore.

Accordingly, the Tribunal determine that respondent B is deemed to be the employer in respect of the applicant's liability for redundancy payment.

The Tribunal find that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

Date of Birth:	13 December 1963
Employment commenced:	15 March 1983
Employment ended:	25 November 2009
Gross weekly pay:	€214.15

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

Please note that a weekly ceiling of €600 applies to all awards made from the Social Insurance fund.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)