

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP541/2011

Against

EMPLOYER

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. F. Murphy  
Members: Mr. D. Morrison  
              Mr. M. McGarry

heard this appeal at Castlebar on 8th March 2012

Representation:

Appellant:

The appellant in person

Respondent:

Company Secretary.

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

The appellant stated that he commenced employment with the respondent on 8<sup>th</sup> March 2004 and was let go when the business closed down on 30<sup>th</sup> January 2009. At the time of termination of employment the appellant was being paid €720.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment.

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

The respondent confirmed the dates of employment and rate of pay as given by the appellant. The respondent agreed that the appellant was entitled to a redundancy lump sum payment but claimed inability to pay 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	13 <sup>th</sup> September 1966
Commencement Date	8 <sup>th</sup> March 2004
Date notice received	23 <sup>rd</sup> January 2009
Termination date	30 <sup>th</sup> January 2009
Gross pay	€720.00 per week

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

It should be noted that any payment made from the Social Insurance Fund is calculated based on maximum earnings of €600.00 per week

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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