

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP2438/2010

Against

1. EMPLOYER
2. 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 7th March 2012

Representation:

Appellant:
Bourke Carrigg & Loftus, Solicitors, Teeling Street, Ballina, Co Mayo

Respondent:
Mr Declan Hynes, Thomas J. Walsh, Solicitor, 1 Mill Lane, Main Street, Castlebar

Appellant's case

The appellant stated that he commenced employment with the respondent on 5th April 2000 and was let go when the business closed down on 19th December 2008. At the time of termination of employment the appellant was being paid € 400.00 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 agreed that the appellant was made redundant but stated that they were unable to pay the redundancy lump sum due to financial constraints. The representative for the respondent stated that the respondent cooperate with the Redundancy Payments Section in pursuit of the appellants application for payment through the Social Insurance Fund.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards her a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	7 th August 1966
Commencement Date	5 th April 2000
Date notice received	N/A
Termination date	19 th December 2008
Gross pay	€400.00 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.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)