

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE
- *Appellant*

CASE NO.
RP2690/2010

Against

EMPLOYER
- *Respondent*
under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr P. Hurley

Members: Mr J. Browne
Ms S. Kelly

heard this appeal at Portlaoise on 12th April 2012

Representation:

Appellant: In Person

Respondent: In Person

The decision of the Tribunal was as follows:-

Respondent's Case

The Tribunal heard evidence from JB, the owner of the respondent company, who confirmed that the appellant's employment was terminated by reason of redundancy and he is entitled to a redundancy lump sum payment. However the respondent company are not in a financial position to pay the appellant his entitlement. JB confirmed that the respondent company is not contesting the appellant's claim under the Redundancy Payments Acts, 1967 to 2007.

Appellant's Case

The appellant told the Tribunal that he commenced working with the respondent company in 2001 and his last day of work with the respondent company was in March 2010. The appellant sent his employer an RP9 form in July 2010 but did not receive any response.

Determination

Based on the evidence adduced by both parties at the hearing the Tribunal is satisfied 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: 6th November 1958
Date of Commencement: 11th September 2001
Date of Termination: 04th November 2011
Gross Pay: €165
Break in Service: from 5th March 2010 to 04th November 2011

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)