

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE – *appellant*

CASE NO.  
RP693/2011

against

EMPLOYER

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms M Levey BL

Members: Mr D Winston  
Mr C Ryan

heard this appeal at Dublin on 5th November 2012

Representation:

\_\_\_\_\_

Appellant(s): Mr Donal Fallon BL, instructed by:  
Aaron Kelly & Company  
Solicitors  
Palace Street, Drogheda, Co Louth

Respondent(s): No appearance or representation

The decision of the Tribunal was as follows:-

There was no appearance by or representation on behalf of the respondent. The Tribunal is satisfied that the respondent was on notice of the hearing.

The claimant gave evidence that he was told that his position was at risk of redundancy on 24 September 2010. His employer told him that he would be entitled to a redundancy payment but that he could not afford to pay it. He received notice on 4 October 2010 that his employment would cease at the end of October 2010. The claimant made applications elsewhere and secured a new job in Germany. He asked to leave the job before the notice period expired. This request was granted. He made numerous requests to his employer for a redundancy payment but he did not receive any payment.

**Determination:**

Based on the uncontested evidence of the appellant the Tribunal is satisfied that a redundancy situation occurred and that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following information:

Date of Birth:	11 May 1977
Date of Commencement:	2 April 2007
Date of Termination:	26 October 2010
Weekly Gross Pay:	€519.25

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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