

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE 1 - *appellant 1*
EMPLOYEE 2 – *respondent 2*

CASE NO.
RP2013/2011
RP2204/2011

Against

EMPLOYER – *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms N O'Carroll-Kelly BL

Members: Mr A O'Mara
Mr O Nulty

heard this appeal at Drogheda on 20th November 2012

Representation:

Appellant(s): In person

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. Appellant 1 gave evidence that he was laid off the week before Christmas 2010. He worked for a couple of days in February 2011. He did not receive a form RP9. He sought work from his employer in the summer of 2011 but was informed that there was no work for him. He asked his employer to sign a redundancy form but he was refused.

Appellant 2 gave evidence that he worked for the respondent for one day a week for the last year of his employment. He was issued with a form RP9. He last worked on 15 April 2011. He signed the form RP9 on 22 June 2011. He received his P45 on 28 June 2011. He did not receive a redundancy payment.

Determination:

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

Appellant 1:

Date of Birth: 26 August 1957
Date of Commencement: 15 January 2000
Date of Termination: 4 February 2011
Weekly Gross Pay: €188.60

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

Appellant 2:

Date of Birth: 31 August 1972
Date of Commencement: 15 November 2005
Last day worked: 15 April 2011
Date of Termination: 28 June 2011
Weekly Gross Pay: €88.13

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)