

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - *appellant*

CASE NO.

RP1383/2011

against
EMPLOYER - *respondent*
EMPLOYER - *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr P. Hurley
Members: Mr T. Gill
Ms H. Henry

heard this appeal at Galway on 29th January 2013

Representation:

Appellant(s) : In Person

Respondent(s) : Director of company

Determination

The Tribunal heard evidence from both parties and concludes that the appellant's position was made redundant. In all the circumstances of the case the Tribunal is satisfied that a genuine redundancy situation existed. The respondent did not give any credible evidence that he responded to or countered the RP9 form served on him by the appellant. The Tribunal is bolstered in this view by the appellant's evidence that he never received any such response to the RP9 form. The Tribunal notes the clear statement of the respondent in response to questions put by the Tribunal that the appellant's position no longer exists and he has not been replaced.

Accordingly the Tribunal determines 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: 10 June 1975
Date of commencement of employment: 15 April 2003
Date of termination of employment: 5 April 2011
Gross weekly pay: €692.31

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

Please note that a weekly ceiling of €600 applies to all awards made from the Social Insurance Fund.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)