

Entitlement to Redundancy – Social Welfare

In case ADJ-00007291 the Adjudication Officer in this case helpfully set out the test for determining the entitlement to redundancy payments. The Adjudication Officer pointed out the relevant test is whether the individual was:

“An employed contributor in employment which was insurable for all benefits under the Social Welfare Acts 1952 – 1963 immediately before the date of the termination of his employment”

In such circumstances the employee is entitled to statutory redundancy.

It does not matter whether the employer paid the actual contributions. The issue is whether the employee was in *“insurable employment”* at the time.

In this particular case the Adjudication Officer pointed out that all parties believed that the contributions had been paid. In our view this is helpful but it is actually not the relevant test to determine whether an individual is entitled to redundancy. The test is simply being in insurable employment.