

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:  
Employee

CASE NO.  
UD537/2007, RP196/2007  
MN394/2007, WT171/2007

Against

Employer

Under

**UNFAIR DISMISSALS ACTS, 1977 TO 2001**  
**REDUNDANCY PAYMENTS ACTS, 1967 TO 2003**  
**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001**  
**ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J. Sheedy

Members: Mr D. Hegarty  
Dr. A. Clune

heard this claim at Cork on 6th December 2007

### **Representation:**

Claimant : Mr David Gaffney, Coakley Moloney, Solicitors, 49 South Mall, Cork

Respondent : No representation listed

The determination of the Tribunal was as follows:

The Tribunal is satisfied that the respondent was properly notified of this hearing. Neither the respondent nor a representative on its behalf appeared for this hearing.

Based on the uncontested evidence and submissions from the claimant The Tribunal finds that the claimant's employment with the respondent was terminated by way of redundancy. Accordingly he is awarded a statutory sum under the Redundancy Payments Acts, 1967 to 2003 and based on the following:

Date of Birth: 5 December 1966  
Date of Commencement: 15 June 1997  
Date of Termination: 10 March 2007  
Gross Weekly Wage: €801.38

The claim under the Unfair Dismissals Acts, 1977 to 2001 was withdrawn during the hearing.

The Tribunal is satisfied that the claimant received his statutory notice by letter, dated 21 December 2006. His appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2001 therefore fails.

The Tribunal allows the appeal under the Organisation of Working Time Act, 1997 and the appellant is awarded €4006.90 as compensation for five weeks' leave under that Act.

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)

