

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:
Employee

- *appellant*

CASE NO.
RP918/2008
MN984/2008
WT445/2008

against

Employer

- *respondent*

under

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. P. O'Leary

Members: Mr. P. Pierce
Ms. C. Warnock

heard this appeal at Navan on 22 January 2009

Representation:

Appellant: In person

Respondent: No appearance or representation

The decision of the Tribunal was as follows:-

The Tribunal was satisfied that the respondent had been properly notified of the hearing.

The appellant was paid two weeks holiday pay. Therefore the case under the Organisation of Working Time Act, 1997 fails.

Accepting the uncontested evidence of the appellant, the Tribunal finds that the appeal under the Redundancy Payments Acts, 1967 to 2003 succeeds and awards him a redundancy lump sum, which is to be calculated on the basis of the following information:

Date of birth:	03 April 1951
Date of commencement:	01 October 2002
Date of termination:	16 May 2008
Gross weekly wage:	€850.00

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 payments from the social insurance fund are limited to a maximum of €600.00 per week.

The Tribunal finds that the appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2001 succeeds and awards the appellant €3400.00 in lieu of notice, this being the equivalent of four weeks pay.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)