

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE - *appellant*

CASE NO.
RP1320/2008
MN1418/2008
WT235/2009

against

EMPLOYER - *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr. B. O'Carroll
Mr. T. Kennelly

heard this appeal at Nenagh on 16th July 2009

Representation:

Appellant: In person

Respondent: In person

The decision of the Tribunal was as follows:

At the beginning of the hearing the respondent conceded the redundancy claim and undertook to pay the appellant his redundancy.

The respondent gave evidence that in June 2008 he asked the appellant to take his two weeks holidays on the 20th June 2008 and that on his return they would see if there was any work available. The appellant had received his two weeks notice on the 6th June 2008. He also received his two weeks holiday pay.

The appellant gave evidence that he was told to take his two weeks holidays on the 20th June 2008 and some further time off at his own expense. He was not recalled back to work and had not worked for the respondent since. During the course of his employment he received two weeks paid holiday per year.

Determination

Based on the appellants evidence that he only received two weeks paid holidays in 2007 and that the respondent also agreed this fact, the Tribunal awards him two weeks pay, which amounts to €720.00 under the Organisation and Working Time Act 1997.

Based on the evidence adduced, the Tribunal are satisfied that the appellant received his minimum notice therefore his claim under the Minimum Notice and Terms of Employment Acts 1973 – 2005 is dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)