

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - appellant

CASE NO.
RP1061/2008
MN1147/2008
WT508/2008

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: Ms. S. Behan BL

Members: Mr. M. Forde
Ms. P. Doyle

heard this appeal in Cork on 15 June 2009

Representation:

Appellant(s) :
In person

Respondent(s) :
No attendance or representation

The decision of the Tribunal was as follows:-

Appellant's Case

The appellant told the Tribunal that she commenced employment with the respondent in March 2001. She went on maternity leave in the first week of January 2008. On 29 February 2008 the respondent closed down. She phoned the chairperson of the respondent about redundancy and was told to do what she needed to do. From the Tribunal she sought to be awarded a redundancy lump sum, four weeks' minimum notice and three weeks' holiday pay (two weeks' annual leave and one week's pay in compensation for public holidays that she had worked). The appellant provided the

Tribunal with a copy of a document from the respondent which stated that her gross weekly pay had been €359.40.

Respondent's Case

No evidence was proffered by or on behalf of the respondent.

Determination:

On the uncontested evidence of the appellant, the Tribunal finds, under the Redundancy Payments Acts, 1967 to 2007, that the appellant is entitled to a redundancy lump sum based on the following details:

- Date of birth: 2 February 1977
- Date of commencement: 15 March 2001
- Date of termination: 29 February 2008
- Gross weekly pay: €359.40

The above award is dependent on the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

In addition, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €1,437.60 (this amount being equivalent to four weeks' gross pay at €359.40 per week).

Also, under the Organisation of Working Time Act, 1997, the Tribunal awards the appellant the sum of €1,078.20 (this amount being equivalent to three weeks' gross pay at €359.40 per week).

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)