<div align="center">**EMPLOYMENT APPEALS TRIBUNAL**</div>

APPEALS OF: CASE NO.

                                                                                               MN370/2009
EMPLOYEE   **- appellant**   RP369/2009

against

EMPLOYER

EMPLOYER
                                              - respondent

under

<div align="center">

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

</div>

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr L. Ó Catháin

Members: Mr. P. Casey
                     Mr D. McEvoy

heard this appeal at Cork on 19th November 2009

Representation:
_____

Appellant :
        Mr Jan Jaroslaw Potocki, Polish English Translation,
        "Pilawa", Office 19, 21-23 Oliver Plunkett Street, Cork

Respondent :
        Not present or represented

The decision of the Tribunal was as follows:-

<u>Appellant's case:</u>

 With the respondent's permission the appellant left for a holiday in Poland on 7th November 2008. The respondent accepted that work was slack and he told the appellant he could take a longer holiday. Within two to three days his P.45 was sent in the post to his Irish address. The P.45 showed a date of termination of 7th November 2008. He did not receive notice or pay in lieu of notice and is also due payment in respect of holidays. He returned to Ireland on 20th November

2008 and has remained in the country since that date.

Determination:

The Tribunal is satisfied that the appellant's employment ended by reason of redundancy and without notice. The appellant is entitled to a redundancy lump under the Redundancy Payments Acts, 1967 to 2007 based on the following:

Date of Birth	21st April 1967
Date employment commenced	12th June 2006
Date employment ended	07th November 2008
Gross weekly salary	€519.06

Please note that this award is being made subject to the appellant having been in insurable employment during the relevant period.

The appellant is also entitled to €1,038.12, which is the equivalent of two weeks salary under the Minimum Notice and Terms of Employment Acts, 1973 to 2005

Sealed with the Seal of the

Employment Appeals Tribunal

This   _____

(Sgd.) _____

(CHAIRMAN)