

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM(S) OF:  
EMPLOYEE – claimant

CASE NO.  
MN1808/2009  
WT42/2010

against

EMPLOYER – respondent

under

**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: Dr A Courell BL

Members: Mr D Morrison  
Ms R Kerrigan

heard this claim at Donegal on 10th May 2010

Representation:

\_\_\_\_\_

Claimants(s): Ms Majella Gallagher  
Hartnett Hayes, Solicitors, Gweedore Road, Dungloe, Co Donegal

Respondent(s): No appearance or representation

The decision of the Tribunal was as follows:

There was no appearance by, or representation on behalf of, the respondent. The Tribunal is satisfied that the respondent was on notice of the hearing.

The claimant gave evidence that she commenced her employment on October 6<sup>th</sup> 2008. On March 27<sup>th</sup> 2009 the managing director gave the claimant a letter which stated that “due to unforeseen trading difficulties, I regret to inform you that the position you occupy is to be made redundant, effective as of the date of this letter”. The claimant was asked to leave immediately. She had received no prior warning that she was to be dismissed. The claimant had not received any holiday pay in 2009.

Determination:

The Tribunal awards the claimant €489.00 (four hundred and eighty-nine euro) in respect of one week's notice under the Minimum Notice And Terms Of Employment Acts, 1973 to 2005. The Tribunal awards the claimant €586.80 (five hundred and eighty-six euro, eighty cent) in respect of six days annual leave entitlement under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)