

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

- *Appellant*

CASE NO.
RP1766/2009
MN1547/2009
WT665/2009

against

EMPLOYER
EMPLOYER
- *respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. O'Connell B.L.

Members: Mr R. Murphy
Mr. J. Dorney

heard this appeal at Dublin on 7th May 2010

Representation:

Appellant: In person

Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

The Tribunal were satisfied that the respondent was properly notified of the hearing. The Tribunal having heard uncontested evidence from the appellant accepts that his employment was terminated on the 18th April 2008 by reason of redundancy. Accordingly, the Tribunal finds that the appellant is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of birth	26 th January 1954
Date employment commenced	30 th November 1998
Date employment ended	18 th April 2008
Gross weekly pay	€550.00

This award is made subject to the appellant being in insurable employment during the relevant period under the Social Welfare Acts.

The Tribunal heard uncontested evidence that the appellant did not receive notice of termination, accordingly the claim under the Minimum Notice and Terms of Employment Acts 1973 – 2005 succeeds and the Tribunal awards the sum of €2,200.00 being the equivalent of four weeks pay.

Finally the Tribunal also heard uncontested evidence that the appellant did not receive any holiday pay during the course of his employment. Neither did he receive a contract of employment nor payslip. Therefore the Tribunal awards holiday pay in the sum of €4,950.00 under Organisation and Working Time Act 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

