

**EMPLOYMENT APPEALS TRIBUNAL**

APPEALS OF:

CASE NO.

Employee

RP1783/2009

WT673/2009

against  
Employer

under

**ORGANISATION OF WORKING TIME ACT, 1997  
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J. Fahy  
Members: Mr P. Pierson  
Ms M. Finnerty

heard this appeal at Roscommon on 25th February 2010 and 31st May 2010

Representation:

\_\_\_\_\_

Appellant:

The appellant in person

Respondent(s) :

No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent. The Tribunal are satisfied that the respondent was properly notified of the hearing.

The Appellant stated that he commenced employment with the respondent on 3<sup>rd</sup> December 2001 and was made redundant on 10<sup>th</sup> February 2009. The claimant has not been paid a redundancy lump sum. The appellant's gross pay at the time his employment ceased was €346.30 per week.

The leave year normally ran from 1<sup>st</sup> January to 31<sup>st</sup> December each year and from 1<sup>st</sup> January 2009 until the date of termination of employment the appellant did not receive any holiday pay.

Having considered the uncontested evidence of the appellant the Tribunal awards the claimant €71.26 under the Organisation Of Working Time Act, 1997.

The Tribunal also awards a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	31 <sup>st</sup> December 1942
Commencement Date	3 <sup>rd</sup> February 2001
Date notice received	N/A
Termination date	10 <sup>th</sup> February 2009
Gross pay	€346.30 p.w.

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

It should be noted that any payment made from the Social Insurance Fund is subject to a maximum of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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