

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.
RP768/2010
MN511/2010

WT238/2010

Appellant:
EMPLOYEE
against

Respondent:
EMPLOYER
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: Mr. J. Lucey
Members: Mr. D. Hegarty
Mr. J. Flavin

heard this appeal at: Rochestown, Cork on 11th October 2010

Representation:
Appellant:

Respondent: Mr. Charles J. O'Connor & Company, Solicitors
Scarteen Street, Newmarket, Co. Cork

Respondent: No appearance or representation

Determination:

The Tribunal is satisfied that proper notification was sent to the respondent. Based on the uncontested evidence the Tribunal finds that the appellant's employment with the respondent ended by way of redundancy. The Tribunal heard evidence that the appellant is an apprentice electrician and that his net pay was €306.25. The Tribunal determines that the appellant's gross pay should be €540.00 as per the applicable REA. Accordingly, the Tribunal awards the appellant a statutory redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 and based on his continuous service and the following information:

Date of birth:	04 th May 1988
Date employment commenced:	17 th July 2006
Date of notice:	26 th March 2009
Date employment ended:	26 th March 2009
Gross weekly wage:	€540.00

Under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 the Tribunal awards the appellant the sum of €1,080.00, this being two weeks gross pay in lieu of notice.

Under the Organisation of working time Act 1997 the Tribunal awards the appellant two weeks nett pay for holiday pay; this is to be calculated at €1,080.00 gross pay, less the appropriate deductions to arrive at a correct nett amount for two weeks holiday pay.

These awards are subject that the correct contributions have been made to the Social Insurance Fund. Also note that a statutory weekly ceiling of €600.00, applies to payments from the Social Insurance Fund.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)