

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE *-appellant*

CASE NO.
RP1487/2010
MN1041/2010
WT442/2010

against

EMPLOYER *-respondent*

Under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1977 TO 2005 ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. K. Buckley

Members: Ms M. Sweeney
Mr. J. Flavin

heard this appeal at Cork on 9th December 2010

Representation:

Appellant : Mr. C. O'Keeffe, MJ O'Callaghan & O'Keeffe Solicitors, New Market Square,
Mitchelstown, Co. Cork

Respondent: No appearance or representation on behalf of

Determination

Having heard the uncontested evidence from the appellant the Tribunal finds that his employment was terminated by way of redundancy. Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007 succeeds and he is awarded a statutory lump sum based on the following criteria:

Date of Birth:	1 st February 1971
Date of Commencement:	6 th February 2006
Date of Termination:	20 th November 2009
Gross Weekly Wage:	€795.87

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

Please note a weekly ceiling of €600.00 applies to statutory redundancy payments.

The Tribunal find that the appeal under the Organisation of Working Time Act 1997 succeeds, and awards the appellant €1591.74, being the equivalent to two weeks holiday pay.

The appellant's employment was terminated without notice, therefore the appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeeds. The Tribunal award the appellant €1591.74, being the equivalent to two weeks notice.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)