

**EMPLOYMENT APPEALS TRIBUNAL**

APPEALS OF:

CASE NO.

EMPLOYEE  
WT30/2011

RP1075/2010

against

EMPLOYER

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms F. Crawford B.L.  
Members: Mr P. Pierce  
Mr J. Flannery

heard this appeal at Dublin on 13th January 2011

Representation:

\_\_\_\_\_

Appellant:

The appellant in person

Respondent:

No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

The appellant stated that he commenced employment with the respondent on 14<sup>th</sup> November 2005 and was let go when the business closed down on 30<sup>th</sup> September 2009. At the time of termination of employment the appellant was being paid €350.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment. The appellant was due three weeks holidays but did not receive payment in lieu of this. The appellant also stated that she had not been paid for two weeks wages even though she had worked for during that time.

**Determination**

It should be noted that the Tribunal does not have jurisdiction to hear a case under the Payment of Wages Act except on appeal from the Rights Commissioner.

The Tribunal awards the claimant €1,050.00 under the Organisation of Working Time Act, 1997 and a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	20 <sup>th</sup> March 1980
Commencement Date	14 <sup>th</sup> November 2005
Date notice received	N/A
Termination date	30 <sup>th</sup> September 2009
Gross pay	€350.00 per week

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

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

