

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE – *appellant*

CASE NO.  
RP708/2010  
MN455/2010  
WT7/2011

against

EMPLOYER – *respondent*

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: Ms J McGovern BL

Members: Ms A Gaule  
Mr A Butler

heard this appeal at Dublin on 13th April 2011

Representation:  
\_\_\_\_\_

Appellant(s): In person

Respondent(s): No appearance or representation

The decision of the Tribunal was as follows:

There was no appearance by or representation on behalf of the respondent. The Tribunal is satisfied that the respondent was on notice of the hearing. The appellant gave evidence that she was dismissed on September 30<sup>th</sup> 2009. She was given a letter stating that she had been offered statutory redundancy, two weeks' pay in lieu of notice and two weeks' outstanding holiday pay, however she did not receive any payment. She was not paid for the month of September.

**Determination:**

Based on the uncontested evidence of the appellant the Tribunal finds that a redundancy situation existed and that she is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following information:

Date of Birth: 16<sup>th</sup> June 1969  
Date of Commencement: 18<sup>th</sup> October 2005

Date of Termination: 14<sup>th</sup> October 2009  
Weekly Gross Pay: €978.36

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

The Tribunal awards the appellant €1956.72 (one thousand nine hundred and fifty-six euro seventy-two cent) in respect off two weeks' pay under the Minimum Notice and Terms Of Employment Acts, 1973 to 2005. The date of termination has been amended to reflect this award.

The Tribunal awards the appellant €1956.72 (one thousand nine hundred and fifty-six euro seventy-two cent) in respect off two weeks' holiday pay under the Organisation Of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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