

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP1365/2010

WT406/2010

MN959/2010

Against

EMPLOYER

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr S. Mahon
Members: Mr P. Pierson
Ms H. Henry

heard this appeal at Longford on 25th March 2011

Representation:

Appellant:

Ms Eileen Kenny, County Longford Citizens Information Service,
Level One, Longford Shopping Centre, Longford

Respondent:

No appearance by or on behalf of the respondent

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

The appellant stated that he commenced employment with the respondent on 12th February 1996 and was let go without notice on 31st July 2009 having been told that there was no more work available. At the time of termination of employment the appellant was being paid €780.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment. The appellant also stated that he was due two weeks holidays but only received payment for one week.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards him €780.00 holiday pay under the Organisation Of Working Time Act, 1997 and €4,680.00 under the Minimum Notice And Terms Of Employment Acts, 1973 to 2005 together with a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	13 th May 1965
Commencement Date	12 th February 1996
Date notice received	N/A
Termination date	31 st July 2009
Gross pay	€780.00 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.

It should be noted that any payment made through the Social Insurance Fund is calculated based on maximum earnings of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

