

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP752/2010

WT234/2010

MN499/2010

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: Ms P. McGrath
Members: Mr. B. Kealy
Mr S. Mackell

heard this appeal at Naas on 7th June 2011

Representation:

Appellant:

The appellant in person

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 1st October 2006 and was let go without notice on 31st March 2010 having been told that there was no more work available. At the time of termination of employment the appellant was being paid €549.91 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 5 days holiday pay up to the date of his dismissal and has not been paid for these days.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards him €549.91 under the Organisation Of Working Time Act, 1997 and €1,099.42 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	29 th January 1972
Commencement Date	1 st October 2006
Date notice received	N/A
Termination date	31 st March 2010
Gross pay	€549.91

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)

