

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

CASE NO.
RP1732/2010
MN1233/2010
WT524/2010

against

EMPLOYER

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: Mr. N. Russell

Members: Mr. J. Hennessy
Mr .F. Dorgan

heard this case in Clonmel on 16 May 2011

Representation:

Appellant(s):

No legal or trade union representation

Respondent(s):

No attendance or representation

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 20 February 2004, ended without notice by reason of redundancy on 16 September 2009. His gross weekly pay was €941.85.

A claim was also made under the Organisation of Working Time Act, 1997, in respect of holidays outstanding at the time of termination of the appellant's employment with the respondent.

A hearing notice was sent to the respondent but no evidence was offered by or on behalf of the respondent at the hearing.

Determination:

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	08 June 1963
Date of commencement:	20 February 2004
Date of termination:	16 September 2009
Gross weekly pay:	€941.85

It should be noted that payments from the Social Insurance Fund are limited to a maximum of €600.00 per week.

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

Allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €3,767.40 (this amount being equivalent to four weeks' gross pay at €941.85 per week).

In addition, the Tribunal awards the appellant the sum of €2,966.83 (this amount being equivalent to 3.15 weeks' gross pay at €941.85 per week) under the Organisation of Working Time Act, 1997, in respect of holidays outstanding at the time of termination of his employment with the respondent.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)