

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP2932/2010

WT964/2010

MN2126/2010

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. K.T. O'Mahony B.L.

Members: Ms. M. Sweeney

Mr. J. Flavin

heard this appeal at Cork on 27th May 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 commenced employment with the respondent on 1st February 1996 and was last employed on 1st July 2010. The appellant took two weeks holidays and was not paid for this in advance. The respondent was to pay the appellant her holiday pay when she returned to work. However on returning to the place of business after her holiday the appellant discovered that the respondent had closed up shop. The appellant believes that the respondent is now operating a business in the U.K.

Since that time the appellant has been unable to make contact with the respondent and she has not received any payment in respect of holidays, minimum notice or redundancy.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards her €500.00 in respect of holiday pay under the Organisation of Working Time Act, 1997 and €1,500.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. The Tribunal also awards a lump

sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	06 th April 1971
Commencement Date	1 st February 1996
Date notice received	N/A
Termination date	16 th July 2010
Gross pay	€250.00 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)

