

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP2228/2010

WT716/2010

MN1592/2010

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 C. Egan B.L.

Members: Mr P. Pierson

Mr T. Gill

heard this appeal at Roscommon on 13th June 2011

Representation:

Appellant:

Mr. Seamus Quigley, Citizens Information Centre, Elphin Street, Boyle, Co Roscommon

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 he was properly notified of the hearing.

The appellant stated that he commenced employment with the respondent on 1st November 1994 and was let go with only a day's notice when the business closed down on 5th February 2010. At the time of termination of employment the appellant was being paid €60.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment.

The appellant was due holiday pay at the date of dismissal and was not paid for those days. Furthermore the appellant never received holiday pay during the entire period of her employment.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards her €480.00 under the Minimum Notice And Terms Of Employment Acts, 1973 to 2005 and €374.34 under the Organisation Of Working Time Act, 1997 together with a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	15 th October 1955
Commencement Date	1 st November 1994
Date notice received	4 th February 2010
Termination date	5 th February 2010
Gross pay	€60.00

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)

