

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

-Appellant

CASE NO.
RP203/2011
MN166/2011
WT37/2011

against
EMPLOYER

-Respondent

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. Browne
Mr F. Dorgan

heard this appeal at Waterford on 2nd June 2011

Representation:

Appellant: Mr. Terence Rea, Social Worker, Deafhear.ie, 2nd Floor,
St. John's Parish Hall, Catherine Street, Waterford

Respondent: No appearance or representation on behalf of the respondent.

The decision of the Tribunal was as follows:

The appellant confirmed he did not require any special facilities before proceeding with the hearing.

Mr. R of the respondent company contacted the Tribunal prior to the hearing date, stating that he was unavailable to attend the hearing but that the claim of redundancy was not contested.

Determination:

Based on the appellant's uncontested evidence the Tribunal finds that he is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 24th June 1956
Date of Commencement: 10th January 2003
Period of lay-off: 16th January 2009 to 29th June 2009
Date of Termination: 22nd January 2010
Gross Weekly Pay: €580.96

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

The appellant was given notice of his redundancy on 8th January 2010 and his employment terminated on 22nd January 2010. The Tribunal finds that the appellant has an outstanding entitlement to the sum of €1,161.92 (being the equivalent of two weeks' gross pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005).

The appellant did not adduce evidence in relation to outstanding holiday pay. The claim under the Organisation of Working Time Act, 1997 is therefore dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)