

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:

CASE NO.

EMPLOYEE – *appellant*

RP3037/2010  
MN2196/2010

Against

WT999/2010

EMPLOYER – *respondent*

Under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007  
ORGANISATION OF WORKING TIME ACT, 1997  
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. K. T. O'Mahony BL.

Members: Mr. D. Hegarty  
Mr. T. Kelly

heard this appeal in Cork on 17<sup>th</sup> June 2011

Representation:

Appellant: Mr Robert McNamara, Mandate Trade Union, Ibs House, 1/2  
Emmet Place, Cork

Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

**Determination**

Being satisfied that the respondent was properly on notice of the hearing and having considered the uncontested evidence of the appellant, the Tribunal awards a lump sum payment under the

Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

Date of Birth: 15<sup>th</sup> December 1984

Date of Commencement: 14<sup>th</sup> June 2002

Date of Termination: 22<sup>nd</sup> June 2010

Gross Weekly Wage: €363.00

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

Again based on the uncontested evidence of the claimant and the loss established, the Tribunal awards €1,452.00 being the equivalent of four weeks' pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

As there was no entitlement under the Organisation of Working Time Act, 1997, that claim is dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_

(CHAIRMAN)