

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP2666/2010

WT867/2010

MN1903/2010

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. D. Donovan

Members: Mr. J. Browne

Mr. F. Dorgan

heard this appeal at Waterford on 11th November 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 they were properly notified of the hearing.

The appellant stated that she commenced employment with the respondent on 8th September 2005 and was let go when the business closed down on 31st August 2009. At the time of termination of employment the appellant was being paid €249.33 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment. No notice of redundancy was given to the appellant and she was not paid in lieu of such notice. The appellant had accrued an entitlement to 15 days holidays and had taken 10 of these but was not paid in lieu of the balance.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards her €498.66 under the Minimum Notice And Terms Of Employment Acts, 1973 to 2005 and €249.33 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	3 rd May 1963
Commencement Date	8 th September 2005
Date notice received	N/A
Termination date	31 st August 2009
Gross pay	€249.33

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)