

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

- *Appellant*

CASE NO.

RP391/2011
MN320/2011
WT99/2011

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: Ms N. O'Carroll-Kelly BL

Members: Mr M. Murphy
Mr O. Nulty

heard this appeal at Mullingar on 25th January 2012

Representation:

Appellant(s) : In person

Respondent(s) : No Appearance by or on behalf of the respondent

Appellants Case

The appellant gave evidence of commencing employment in August 2006 and on the 5th of November 2010 was informed it was her final day and not to return to work the following week. She received no documentation from the respondent and did not sign any documents regarding redundancy.

The appellant told the Tribunal she was owed four days holiday pay at the time she was made redundant.

Determination

The Tribunal is satisfied that all parties were properly notified of the hearing. As there was no appearance by or on behalf of the respondent and based on the uncontested evidence of the appellant the Tribunal finds that she was dismissed by reason of redundancy.

The Tribunal awards the appellant a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:

Date of Birth: 19 July 1979
Date of Commencement: 14 August 2006
Date of Termination: 5 May 2010
Weekly Gross Pay: €220.00

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. Please note that a weekly ceiling of €600 applies to all awards made from the Social Insurance fund.

The Tribunal allows the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and awards the claimant €440 as compensation for two weeks pay.

The appeal under the Organisation of Working Time Act, 1997 is allowed and the appellant is awarded €293.44.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)