

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE

CASE NO.
UD975/2010

MN949/2010
WT403/2010
RP1349/2010

Against

EMPLOYER
EMPLOYER

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr T. Taaffe

Members: Mr D. Moore
Mr N. Dowling

heard this claim at Naas on 8th March 2012

Representation:

Claimant: In Person

Respondent: No appearance

The determination of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent at the hearing of the above case. The Tribunal heard uncontested evidence from the claimant. She told the Tribunal that she has received her entitlement under the Redundancy Payments Acts, 1967 to 2007 and the matters for the Tribunal to deal with were her claims under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and the Organisation of Working Time Act, 1997.

The claimant worked as a sales manager in the respondent's shoe shop. The claimant told the Tribunal that on 13th March 2010, at approximately 4:40pm, her employer informed her that he was closing the shop at 5:00pm and no longer trading from that day forward. She did not receive

anypayment in lieu of her notice entitlement or outstanding holidays due to her.

Determination

Based on the uncontested evidence of the claimant the Tribunal finds that she was dismissed by reason of redundancy, for which she has received her statutory entitlement. The claims under both Redundancy Payments Acts 1967 to 2007 and Unfair Dismissals Acts, 1977 to 2007 are therefore dismissed.

The Tribunal awards the claimant €2,565.04 (4 weeks pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and €641.26 (1 weeks pay) under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)