

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM(S) OF:  
EMPLOYEE

CASE NO.  
UD1722/2010  
RP2319/2010  
MN1675/2010  
WT769/2010

against

EMPLOYER  
under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**  
**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. J. McGovern BL

Members: Mr. T. O'Grady  
Mr. M. O'Reilly

heard this case in Dublin on 13 January 2012

Representation:  
\_\_\_\_\_

Claimant(s):  
No legal or trade union representation

Respondent(s):  
No attendance or representation

The determination of the Tribunal was as follows:-

The claimant lodged claims under the Unfair Dismissals Acts, 1977 to 2007, the Redundancy Payments Acts, 1967 to 2007, the Minimum Notice and Terms of Employment Acts, 1973 to 2005, and the Organisation of Working Time Act, 1997.

At the beginning of the Tribunal hearing the claimant stated that he had received his redundancy money but that he was owed two weeks' pay for minimum notice and seven days'

(1.4 weeks') pay in respect of outstanding holidays. His claim form stated that his basic pay (net of travel or any other additional payment) was €590.00 and that his employment with the respondent company, which had commenced in October 2006 had finally ended in February 2011 after he had been laid off, taken back and put on a three-day week for four or five months.

No evidence was offered at the hearing by or on behalf of the respondent company.

**Determination:**

Given that the claimant told the Tribunal that he had received a redundancy payment the Tribunal finds that the claims under the Unfair Dismissals Acts, 1977 to 2007, and under the Redundancy Payments Acts, 1967 to 2007, fall for want of prosecution.

Allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €1,180.00 (this amount being equivalent to two weeks' gross pay at €590.00 per week).

In addition, the Tribunal awards the claimant the sum of €826.00 (this amount being equivalent to 1.4 weeks' holidays at €590.00 per week) under the Organisation of Working Time Act, 1997, in respect of holidays outstanding at the time of termination of his employment with the respondent company.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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

