

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE

RP1681/2011

WT515/2011

MN1372/2011

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. N. O'Carroll-Kelly BL

Members: Mr. M. Carr
Ms. A. Moore

heard this appeal at Monaghan on 15th February 2012

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.

Appellant's case

The appellant stated that she commenced employment with the respondent on 24th February 2009. The Office in which the appellant was employed closed down on or around 30th January 2011 and she was made redundant when her maternity leave finished on 15th March 2011. At the time of termination of employment the appellant was being paid €120.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment.

The appellant did not receive her minimum notice nor was she paid in lieu of such notice. The leave year of the respondent began on 1st January each year and as the appellant was on maternity leave to 15th March 2011 she had not taken and annual leave for that year.

Determination

Having considered the uncontested evidence of the appellant the Tribunal awards her €240.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and €99.60 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	18 th September 1976
Commencement Date	24 th February 2009
Date notice received	N/A
Termination date	15 th March 2011
Gross pay	€120.00

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)

