

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

- *Appellant*

CASE NO.
MN2239/2010
RP3091/2010
WT1018/2010

against
EMPLOYER

- *Respondent*

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: Mr N. Russell

Members: Mr J. Hennessy
Ms S. Kelly

heard this appeal at Clonmel on 16th March 2012

Representation:

Appellant(s) : Mr Alec Gabbett, Leahy & Partners, Solicitors, Park Manor,
Upper Mallow Street, Limerick

Respondent(s) : In Person

The decision of the Tribunal was as follows:-

Determination:

The respondent agreed to add a claim for holiday pay under the Organisation of Working Time, 1997 and explained the appellant only worked 26 weeks of the year. He conceded all three claims but stated he had an inability to pay.

Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007 is allowed and he is awarded a statutory lump sum under those Acts, and based on the following:

Date of Birth:	04 June 1967
Date of Commencement:	02 January 2005
Date Of Dismissal Notice:	-----
Date of Termination:	07 March 2010
Gross Weekly Wage:	€ 100.00

This award is made subject to the appellant having been in insurable employment during the relevant period in accordance with the Social Welfare Acts.

The Tribunal also awards the sum of € 400.00, the being the equivalent of four weeks wages, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal also awards the sum of € 200.00, this being 10 days leave, under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)