

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE

CASE NO.
MN108/2010
WT60/2010

- *appellant*

against

EMPLOYER

- *respondent*

under

**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: Mr P. Hurley

Members: Mr. W. O'Carroll
Ms.H. Murphy

heard this claim at Galway on 16th March 2012

Representation:

Claimants(s): In Person

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

Determination

The appellant claimed that her employment, which commenced on 1 October 2007, ended by reason of redundancy on 21 December 2008 with only two days' notice rather than the week's notice to which she was entitled. Her gross weekly pay was €673.07.

A claim was also made under the Organisation of Working Time Act, 1997, in respect of 20.9

days (4.18 weeks') holidays carried forward and still outstanding at the time of termination of her employment with the respondent.

No evidence was offered on behalf of the respondent to dispute the above claims.

Determination:

On the uncontested evidence of the claimant, allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €403.84 (this amount being equivalent to 0.6 weeks' gross pay at €673.07 per week).

In addition, the Tribunal awards the claimant the sum of €2813.43 (this amount being equivalent to 20.9 days holidays at a gross weekly pay of €673.07 per week) under the Organisation of Working Time Act, 1997, in respect of holidays outstanding at the time of termination of her employment with the respondent.

It should be noted that state payments (in the event of an employer not having funds to pay) are limited to a maximum of €600.00 per week.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

