

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE - **appellant**

RP1472/2010
MN1029/2010
WT437/2010

against

EMPLOYER - **respondent**

under

**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 K.T. O'Mahony BL

Members: Ms M. Sweeney
Mr J. Flavin

heard these appeals at Cork on 11 February 2011

Representation:

Appellant:

Mr Jan Jaroslaw Potocki, Polish English Translation, "Pilawa",
Office 19, 21-23 Oliver Plunkett Street, Cork

Respondent:

No attendance by or representation on behalf of the respondent

The decision of the Tribunal was as follows:-

Determination:

The Tribunal, being satisfied that the respondent was properly on notice of the hearing, finds based on the uncontroverted evidence that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

Date of Birth	9 July 1980
Employment commenced	21 May 2006
Employment ended	25 April 2010
Gross weekly pay	€300-00

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

The Tribunal further awards €600-00, being two weeks' pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Subsequent to the hearing it emerged that the appellant's claim under the Organisation of Working Time Act, 1997 had already been heard by a Rights Commissioner. That being the case the Tribunal has no jurisdiction to hear the claim under that Act.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)