

## EMPLOYMENT APPEALS TRIBUNAL

**APPEAL(S) OF:**  
EMPLOYEE

- *Appellant*

against  
EMPLOYER

- *Respondent*

under

**CASE NO.**  
RP3018/2010  
MN2189/2010  
WT976/2011

### MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 ORGANISATION OF WORKING TIME ACT, 1997

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:	22 July 1975
Date of Commencement:	06 January 2002
Date Of Dismissal Notice:	28 February 2010
Date of Termination:	28 February 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, this 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 annual leave, under the Organisation of Working Time, Act, 1997.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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