

**CORRECTING ORDER**

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL OF:**  
EMPLOYEE  
- *Appellant*

**CASE NO.**  
RP1091/2011  
MN850/2011

Against

EMPLOYER  
- Respondent

EMPLOYER  
- Respondent

EMPLOYER  
- Respondent

Under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005  
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr P. Hurley

Members: Mr J. Browne  
Ms S. Kelly

heard this appeal at Portlaoise on 12th April 2012

**Representation:**

Appellant: In Person

Respondent: No Appearance

The decision of the Tribunal was as follows:-

**Determination:**

This order corrects the original Order dated 28<sup>th</sup> May 2012 and should be read in conjunction with that Order. The date of commencement of employment should read 11<sup>th</sup> April 2005 and not 11<sup>th</sup>

April 2006 as stated in the original order.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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

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#### **Representation:**

Appellant: In Person

Respondent: No Appearance

The decision of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent at the hearing on 12<sup>th</sup> April 2012. The Tribunal heard evidence from the appellant who explained that she commenced working for the respondent on 11<sup>th</sup> April 2005 in Laois. In 2008 the respondent's liquor licence expired and he was given a grace period to renew it. The respondent did not renew the licence and closed the respondent company in September 2010. The appellant did not receive her statutory notice under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The appellant was told that when the respondent company re opened she would recommence her employment with the respondent. The respondent company did not reopen.

**Determination**

Based on the appellant's uncontested evidence the Tribunal is satisfied 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:        | 10 <sup>th</sup> April 1963     |
| Date of Commencement: | 11 <sup>th</sup> April 2006     |
| Date of Termination:  | 30 <sup>th</sup> September 2010 |
| Gross Pay:            | €320                            |

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

The Tribunal awards the appellant €640, two weeks pay, in respect of her entitlement under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Sealed with the Seal of the

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This \_\_\_\_\_

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