

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE

CASE NO.  
RP2083/2011  
MN1631/2011  
WT625/2011

against

EMPLOYER

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. E. Kearney BL

Members: Mr. W. O'Carroll  
Ms. S. Kelly

heard this case in Nenagh on 19 July 2012

Representation:

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Appellant(s):

Mr. Gerard Kennedy, SIPTU,  
4 Church Street,  
St. John's Square, Limerick

Respondent(s):

No attendance or representation

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 11 October 2004, ended without notice by reason of redundancy on 21 January 2011. His gross weekly pay

as €526.50.

A claim was also made under the Organisation of Working Time Act, 1997, in respect of 7.5 days' holidays outstanding at the time of termination of employment with the respondent.

No evidence was offered by or on behalf of the respondent to contest the above claims.

**Determination:**

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	30 December 1975
Date of commencement:	11 October 2004
Date of termination:	21 January 2011
Gross weekly pay:	€526.50

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

Allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €2,106.00 (this amount being equivalent to four weeks' gross pay at €526.50 per week).

In addition, the Tribunal awards the appellant the sum of €789.75 (this amount being equivalent to 1.5 weeks' holidays at a gross weekly pay of €526.50) under the Organisation of Working Time Act, 1997, in respect of holidays outstanding at the time of termination of his employment with the respondent.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

