

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:  
EMPLOYEE

CASE NO.  
RP1061/2011  
MN818/2011  
WT314/2011

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. J. McGovern BL

Members: Mr. E. Handley  
Mr. F. Keoghan

heard this case in Dublin on 15 August 2012

Representation:

\_\_\_\_\_

Appellant(s):

Mr Ross McMahon, David F McMahon & Co, Solicitors,  
Prosperity Chambers, 5/6 Upper O'Connell Street, Dublin 1

Respondent(s):

No representation

The decision of the Tribunal was as follows:-

The appellant claimed that her employment, which commenced on 1 November 2004, ended without notice by reason of redundancy on 11 February 2011. Her gross weekly pay was €960.89.

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

No evidence was offered to contest the claims made.

**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:	05 June 1953
Date of commencement:	01 November 2004
Date of termination:	11 February 2011
Gross weekly pay:	€960.89

It should be noted that payments from the Social Insurance Fund are limited to a maximum of €600.00 per week.

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 €3,843.56 (this amount being equivalent to four weeks' gross pay at €960.89 per week).

In addition, the Tribunal awards the appellant the sum of €1,921.78 (this amount being equivalent to 2.0 weeks' holidays at a gross weekly pay of €960.89) under the Organisation of Working Time Act, 1997, in respect of holidays outstanding at the time of termination of her employment.

Sealed with the Seal of the  
Employment Appeals Tribunal

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

