

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
RP1213/2011
WT356/2011

MN994/2011

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 D. Donovan B.L.

Members: Mr J. Browne
Mr J. Jordan

heard this appeal at Wexford on 31st August 2012

Representation:

Appellant:

Respondent: Not Present or Represented

There was no attendance by or on behalf of the respondent at the above hearing. The Tribunal heard evidence from the appellant who confirmed that she was dismissed by reason of redundancy and was not provided with any work following her maternity leave. Her working week had been reduced to 3 days prior to her maternity leave. She did not receive her statutory minimum notice, outstanding holiday pay or a redundancy payment from the respondent.

Determination

Based on the appellant's uncontested evidence the Tribunal finds that she is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth:	25 th December 1976
Date of Commencement:	19 th February 2001
Date of Termination:	30 th August 2010
Gross Pay:	€517.89

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

The Tribunal awards the appellant €1230.24, four weeks wages, in respect of her statutory notice entitlement under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal also find that the appeal under the Organisation of Working Time Act 1997 succeeds and awards the appellant €922.68 being 3 weeks holiday pay.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

