

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

EMPLOYEE - *claimant*

CASE NO.
WT/216/2011
UD554/2011

MN594/2011
RP772/2011

Against

EMPLOYER - *respondent*

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
UNFAIR DISMISSALS ACTS, 1977 TO 2007
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr P. Hurley

Members: Mr. W. O'Carroll
Ms H. Murphy

heard this claim at Galway on 31st January 2013

Representation:

Claimant(s) : REP

Respondent(s) : REP

The claimant withdrew her claim under the Unfair Dismissals Acts 1977 to 2007 at the commencement of the proceedings.

Determination

The respondent having conceded liability in this regard, the Tribunal finds that the claimant is entitled to a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth: 28 April 1973
Date of commencement of employment: 3 November 2008
Date of termination of employment: 7 February 2011
Gross weekly pay: €400

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

Documentary and oral evidence was provided to the Tribunal that the claimant signed a waiver in respect of all monies due from the company to her with the exception of a redundancy payment. In that regard she was paid a full and final settlement sum of €1070.00. Accordingly the Tribunal finds that the claims under the Organisation of Working Time Act 1997 and the Minimum Notice and Terms of Employment Acts 1973 to 2005 fail and are hereby dismissed.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)