

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE,

CASE NO.
RP2426/2011
MN1918/2011
WT754/2011

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: Mr. E. Harrington

Members: Ms. M. Sweeney
Ms. H. Kelleher

heard this case in Cork on 28 February 2013

Representation:

Appellant(s):

No legal or trade union representation

Respondent(s):

No attendance or representation

The decision of the Tribunal was as follows:-

The appellant claimed that his employment, which commenced on 28 May 1998, ended without payment of notice by reason of redundancy on 19 August 2011. His gross weekly pay was €1,228.00.

A claim was also made under the Organisation of Working Time Act, 1997, in respect of 11.5 days' holidays outstanding at the time of termination of his employment with the respondent.

The appellant told the Tribunal that he had received redundancy money.

No evidence was offered by or on behalf of the respondent to contest the appellant's claims for notice and holiday pay.

Determination:

The appeal under the Redundancy Payments Acts, 1967 to 2007, falls for want of prosecution because the appellant told the Tribunal that he had already received a redundancy lump sum.

Allowing the claim lodged under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Tribunal awards the appellant the sum of €7,368.00 (this amount being equivalent to six weeks' gross pay at €1,228.00 per week).

In addition, the Tribunal awards the appellant the sum of €2,824.40 (this amount being equivalent to 2.3 weeks' holidays) 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)

