

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

MN1698/2011

Against

EMPLOYER

under

### MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. S. McNally

Members: Mr. P. Casey

Mr. J. Flavin

heard this claim at Cork on 6th March 2013

Representation:

Claimants:

The appellant in person

Respondent(s) :

Director of respondent

### **Background**

It was common case that the appellant commenced employment with the respondent on 21<sup>st</sup> October 1996 and was dismissed by way of redundancy on 13<sup>th</sup> May 2011. The appellant was given notice of redundancy on 21<sup>st</sup> April 2011 and his employment terminated on 13<sup>th</sup> May 2011. The appeal before the Tribunal was for the balance of his statutory minimum notice.

At the time of his redundancy the appellant was earning €1,200.00 per week.

The witness for the respondent agreed that the full statutory minimum notice had not been paid to the appellant but told the Tribunal that the respondent was unable to pay the full amount at the moment due to financial constraints.

**Determination**

Having considered the evidence adduced at the hearing the Tribunal is satisfied that the appellant was under paid his statutory minimum notice by two weeks and three days.

Therefore the Tribunal awards the appellant €3,120.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

It should be noted that any payment made through the Social Insurance Fund is calculated based on maximum earnings of €600.00 per week.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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