

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

MN1910/2011

WT749/2011

Against

EMPLOYER

under

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. S. McNally
Members: Mr. P. Casey
Mr. J. Flavin

heard this claim at Cork on 6th March 2013

Representation:

Claimants:

Mr. Martin Corbett, SIPTU, Connolly Hall, Lapp's Quay, Cork

Respondent:

No appearance by or on behalf of the respondent

There was no appearance by or on behalf of the respondent and the Tribunal is satisfied that the respondent was properly notified of the hearing.

Appellant's case

At the outset the appellant withdrew his appeal under the Organisation of Working Time Act, 1997.

The appellant commenced employment with the respondent on 6th December 1999 and was dismissed by way of redundancy on 31st December 2010. The appellant was given one week's notice of redundancy. The appeal before the Tribunal was for the balance of his statutory minimum notice. At the time of his redundancy the appellant was earning €1,030.00 per week.

Determination

Having considered the uncontested evidence of the appellant the Tribunal is satisfied that the appellant was under paid his statutory minimum notice by five weeks.

Therefore the Tribunal awards the appellant €5,150.00 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)