

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE,
appellant

RP2916/2011

MN2373/2011

WT949/2011

Against

EMPLOYER *respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath B.L.

Members: Mr C. Lucey
Ms. E. Brezina

heard this appeal at Dublin on 9th April 2013

Representation:

Appellant(s): The appellant in person

Respondent(s): No attendance or representation by or on behalf of the respondent

The decision of the Tribunal was as follows:-

Determination

The appellant told the Tribunal she commenced employment with the respondent on the 20th October 2005. Restructuring took place in the respondent. She received a text message on the 22nd November 2011 that there was no more work for her.

On the uncontested evidence of the appellant the Tribunal finds that a redundancy situation existed and she is entitled to a redundancy lump payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of birth:	20 th April 1966
Date employment commenced	20 th October 2005
Date employment ceased	23 November 2011
Gross weekly pay	€415.50

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

The appellant's employment terminated without notice and she is therefore entitled to compensation in lieu of notice in the amount of €1662.00 which is equivalent to four weeks gross pay (415.50 per week) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

No evidence was furnished in relation to holiday pay and the claim under the Organisation of Working Time Act, 1997 fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)

