

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE
MN22/2012
WT12/2012

RP38/2012

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: Ms. K.T. O'Mahony B.L.
Members: Mr. P. Casey
Ms. H. Kelleher

heard this appeal at Cork on 8th April 2013

Representation:

Appellant:

The appellant in person

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 she was properly notified of the hearing.

Appellant's case

The claim under the Organisation of Working Time Act, 1997 was withdrawn by the appellant.

The appellant commenced employment with the respondent on 15th June 2003 and was let go without notice when the business closed down on 14th January 2011. At the time of termination of employment the appellant was being paid €115.00 gross per week. The appellant did not receive any payment from the respondent in respect of a lump sum redundancy payment, nor did she receive payment in lieu of notice.

Determination

Having considered the uncontested evidence of the appellant, the Tribunal is satisfied that her employment ended by reason of redundancy and it awards her a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

DOB	25 th February 1986
Commencement Date	15 th June 2003
Date notice received	N/A
Termination date	14 th January 2011
Gross pay	€115.00 per week

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

The Tribunal further awards her €460.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. together with a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)