

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP662/2011

WT185/2011

MN519/2011

against

EMPLOYER

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Taaffe
Members: Mr. N. Ormond
Mr. N. Dowling

heard this appeal at Dublin on 4th July 2012

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

At the outset the appellant withdrew his appeal under the Redundancy Payments Acts, 1967 to 2007 and the Organisation of Working Time Act, 1997.

The appellant commenced employment with the respondent on 21st March 2005 and was let go when the business closed down on 22nd December 2010. At the time of termination of employment the appellant was being paid €634.48 gross per week. The appellant received one week's wages in lieu of notice but was entitled to four weeks and is therefore seeking payment of three more weeks.

Determination

Having considered the uncontested evidence of the appellant the Tribunal is satisfied that he was only paid one week notice. The appellant was entitled to two weeks notice and therefore the Tribunal awards him €1903.44 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)