

EMPLOYMENT APPEALS TRIBUNAL

| APPEALS OF: | CASE NO. |
|---|----------------------------|
| Employee -First named Appellant | RP1162/2008 MN1265/2008 |
| Employee -Second named Appellant | RP1163/2008 MN1266/2008 |
| Employee -Third named Appellant | RP1164/2008 MN1267/2008 |
| Employee -Fourth named Appellant | RP1165/2008 MN1268/2008 |
| Employee -Fifth named Appellant | RP1166/2008 MN1269/2008 |
| Employee -Sixth named Appellant | RP1167/2008 MN1270/2008 |
| Employee -Seventh named Appellant | RP1168/2008 MN1271/2008 |
| against | |
| Employer -Respondent | |
| under | |

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. K.T. O'Mahony B.L.

Members: Mr. M. Forde
Ms. P. Doyle

heard this appeal at Killarney on 20 April 2009

Representation:

Appellant:

Andrew McCarthy, Sectoral Organiser, SIPTU
Connolly Hall, Upper Rock Street, Tralee, Co. Kerry

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

Determination:

The Tribunal being satisfied that the respondent was properly on notice of the hearing and based on the uncontroverted evidence of the appellants the Tribunal finds that the appellants are entitled to lump sum payments under the Redundancy Payments Acts, 1967 to 2003. Loss having been established the Tribunal further makes awards under the Minimum Notice and Terms of Employment Acts, 1973 to 2003. The awards under both Acts are based on the following criteria

| Appellant | Date of Birth | of Employment Began | Employment Ended | Gross Weekly Pay | Notice given | MN weeks award | Minimum Notice Award |
|-----------|---------------|---------------------|------------------|------------------|--------------|----------------|----------------------|
| 1st Named | 29/08/1953 | 31/01/2006 | 10/10/2008 | €377-08 | 1 Week | 1 | €377-08 |
| 2nd Named | 01/05/1977 | 14/11/2005 | 10/10/2008 | €375-25 | 1 Week | 1 | €375-25 |
| 3rd Named | 22/09/1981 | 14/11/2005 | 10/10/2008 | €341-08 | 1 Week | 1 | €341-08 |
| 4th Named | 29/06/1947 | 15/04/1970 | 10/10/2008 | €144-00 | 1 Week | 7 | €1008-00 |
| 5th Named | 10/12/1952 | 15/11/1993 | 10/10/2008 | €108-00 | 1 Week | 5 | €540-00 |
| 6th Named | 06/05/1966 | 15/05/1983 | 10/10/2008 | €477-25 | 1 Week | 7 | €3340-75 |
| 7th Named | 06/06/1972 | 15/02/1995 | 10/10/2008 | €276-05 | 1 Week | 5 | €1380-25 |

These awards are made subject to the appellants having been in insurable employment under the Social Welfare Acts during the relevant period.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)