

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:
2 Employees

CASE NO.
RP1392/2008, MN1483/2008
WT627/200
RP1394/2008, MN1485/2008
WT629/2008

Against

3 Employers

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: Mr. D. MacCarthy S C

Members: Mr J. Browne
Mr P. Trehy

heard this appeal at Wexford on 27th July 2009

Representation:

Appellants : In person

Respondent : Finn & Doyle, solicitors, 7 Lower Georges Street, Wexford

The decision of the Tribunal was as follows:

The Tribunal notes that the respondents offered no meaning or compelling defence against these appeals. Having heard the submissions and comments the Tribunal is satisfied that the appellants cessation of employment was by way of redundancy. Therefore, their appeals succeed under the Redundancy Payments Acts, 1967 to 2007 and each is awarded a lump sum based on the following:

Name:	XXXX	XXXX
Date of Birth:	02 January 1966	28 February 1984
Date of Commencement:	08 October 1994	24 July 2004
Date of Termination:	09 November 2008	09 November 2008
Gross weekly Wage:	€216.00	€225.00

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

The appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 are also allowed and the Tribunal awards Breda Murphy €1296.00 and Robert Krzeszowiec €500.00 as compensation for notice entitlements under those Acts.

In the absence of acceptable holiday records from the respondent the Tribunal accepts the information supplied by the appellants on their leave record. Accordingly, Breda Murphy is awarded €432.00 and Robert Krzeszowiec €675.00 as compensation for outstanding leave entitlements under the Organisation of Working Time Act, 1977.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

