

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:
3 EMPLOYEES – Appellant

CASE NO.
RP266/2009, MN282/2009
RP267/2009, MN283/2009
RP268/2009, MN284/2009

against

EMPLOYER - Defendant

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr D Winston
Ms A Moore

heard this appeal at Dublin on 8th July 2009

Representation:

Appellants: Mr Krystian Boini, J C Horan & Co, Solicitors, Suite 144 Capel Building, Dublin 7

Respondent: XXXX

The decision of the Tribunal was as follows:

The Tribunal notes that the respondent agreed to an amendment to allow the name of the respondent to be changed to show the proper legal entity that employed all three appellants.

Furthermore the respondent conceded that all three appellants were dismissed by way of redundancy and was not therefore contesting the appeals. The Tribunal having satisfied itself that a redundancy situation existed in these cases allows all the appeals under the Redundancy Payments Acts, 1967 to 2007 based on the following:

<i>Name:</i>	XXXX	XXXX	XXXX
<i>Date of Birth:</i>	29 th August 1980	30 th April 1986	2 nd July 1971
<i>Date of Commencement:</i>	8 th November 2006	8 th November 2006	1 st May 2006
<i>Date of Termination:</i>	17 th December 2008	17 th Dec. 2008	17 th December 2008
<i>Gross Weekly Wage:</i>	€634.88	€634.88	€760.16

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

A statutory weekly ceiling of €600.00 applies to payments from the social Insurance Fund.

All of the appellants were due two weeks notice or payment in lieu of that notice. It emerged that each appellant had only received five days notice of termination of employment. It follows that their entitlement to the remainder of that notice was neither given nor paid in lieu by the respondent. Accordingly, the Tribunal now awards the outstanding monetary amounts due to the appellants under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 being the following sums respectively:

XXXX		€815.14
XXXX		€815.14
XXXX	1	€977.35

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)