

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

Employee

MN475/2009

- **first named claimant**

Employee

MN476/2009

- **second named claimant**

against

Employer **-respondent**

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Taafe

Members: Mr. F. Cunneen

Mr. S. O'Donnell

heard this claim at Dublin on 26 August 2009

Representation:

Claimant:

In Person

Respondent:

XXXX, director of the respondent

The decision of the Tribunal was as follows: -

Determination

In circumstances where both claimants have been awarded compensation for minimum notice under the Payment of Wages Act 1991 their claims under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 must fail on the basis that they are not entitled to benefit twice from the same breach of their employment rights. The Tribunal further notes that as the respondent has been dissolved since 7 August 2009, after being struck off for failure to submit annual returns, the respondent no longer exists as a legal entity

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)