

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:

CASE NO.

EMPLOYEE –*Appellant A*

RP593/2009

EMPLOYEE -*Appellant B*

RP595/2009  
MN582/2009

EMPLOYEE -*Appellant C*

MN583/2009  
WT248/2009

EMPLOYEE - *Appellant D*

RP596/2009  
MN584/2009  
WT249/200

against

EMPLOYER -*Respondent A*

EMPLOYER -*Respondent B*

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. J. Sheedy

Members: Mr. J. Hennessy  
Mr. T. Kennelly

heard this appeal at Thurles on 23rd September 2009

**Representation:**

Appellants: Mr. Patrick Kennedy, Kingston & Co, Solicitors, Lower Gate Square,  
Cashel, Co Tipperary

Respondent: Ms. Deirdre Lyons, Butler, Cunningham & Molony, Solicitors,  
71 Liberty Square, Thurles, Co. Tipperary on behalf of Respondent A.

Mr. Aidan Leahy, Donal T. Ryan, Solicitors, 89-90 Main Street, Cashel, Co.  
Tipperary on behalf of Respondent B.

**The decision of the Tribunal was as follows:**

The representatives for the respondent informed the Tribunal that the claims were conceded. The respondents were a partnership that employed the appellants.

**Determination:**

The Tribunal awards **Appellant A** a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 28<sup>th</sup> May 1957  
Date of Commencement: 1<sup>st</sup> May 2000  
Date of Termination: 23<sup>rd</sup> December 2008  
Gross Weekly Pay: €550.60

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

The Tribunal awards the appellant the sum of €2,202.40 (being the equivalent of four weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal awards **Appellant B** a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 13<sup>th</sup> December 1963  
Date of Commencement: 21<sup>st</sup> May 2001  
Date of Termination: 23<sup>rd</sup> December 2008  
Gross Weekly Pay: €247.00

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

The Tribunal awards the appellant the sum of €988.00 (being the equivalent of four weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal finds that **Appellant C** is entitled to €300.00 (being the equivalent of one weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. The Tribunal awards **Appellant C** the sum of €228.00 for her outstanding entitlement under the Organisation of Working Time Act, 1997.

The Tribunal awards **Appellant D** a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth: 30<sup>th</sup> March 1978  
Date of Commencement: 5<sup>th</sup> May 2004  
Date of Termination: 23<sup>rd</sup> December 2008

Gross Weekly Pay: €789.00

Please note that a statutory weekly ceiling of €600 applies to all payments from the Social Insurance Fund.

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

The Tribunal awards the appellant the sum of €1,578.00 (being the equivalent of two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal awards **Appellant D** the sum of €876.00 for his outstanding entitlement under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)