

**EMPLOYMENT APPEALS TRIBUNAL**

APPEALS OF:

CASE NO.

EMPLOYEE

**- appellant**

MN1454/2009  
WT627/2009  
RP1650/2009

EMPLOYEE

**- appellant**

MN1455/2009  
WT628/2009

RP1651/2009

against

EMPLOYER - respondent

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005  
ORGANISATION OF WORKING TIME ACT, 1997  
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms S. McNally

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

heard this appeal at Skibbereen on 19th October 2009

Representation:

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Appellant :

Mr. Noel Murphy, Independent Workers Union, 55 North Main  
Street, Cork

Respondent :

Not present or represented

The decision of the Tribunal was as follows:-

By letter dated 21<sup>st</sup> December 2006 the appellant's were informed of the winding down of the respondent company and were given six weeks notice of being made redundant. The company ceased trading on 10<sup>th</sup> February 2007.

**Determination:**

The Tribunal is satisfied that the appellants are entitled to a Redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following:

**1<sup>st</sup> named Appellant:**

Date of Birth	22 <sup>nd</sup> October 1974
Date employment commenced	01 <sup>st</sup> November 1997
Date employment ended	10 <sup>th</sup> February 2007
Gross weekly pay	€162.95

**2<sup>nd</sup> named Appellant:**

Date of Birth	13 <sup>th</sup> February 1980
Date employment commenced	05 <sup>th</sup> May 1997
Date employment ended	10 <sup>th</sup> February 2007
Gross weekly pay	€407.97

Please note these awards are being made subject to the appellants having been in insurable employment under the Social Welfare Acts.

The Tribunal also makes an award of outstanding holiday pay under the Organisation of Working Time Act, 1997 as follows:

**1<sup>st</sup> named appellant:** €162.95 (1 week)

**2<sup>nd</sup> named appellant:** €407.97 (1 week)

The appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 are

dismissed as the appellants were given the required notice by letter dated 21<sup>st</sup> December 2006.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

