

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

EMPLOYEE

*- 1st Named appellant***CASE NO.**

RP1248/2009

MN1109/2009

EMPLOYEE

nd Named Appellant

RP1249/2009 2

MN1110/2009

against

EMPLOYER

EMPLOYER

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: Ms C. Egan B.L.

Members: Mr T. Gill
Ms. R. Kerrigan

heard this appeal at Castlebar on 5th March 2010

Representation:

Appellant: Mr. Brendan Boyle, Citizens Information Centre, Teeling Street, Ballina, Co Mayo

Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:-

Determination

The Tribunal is satisfied that the respondent was on notice of the hearing. The appellants' representative outlined that they had written to the company and were told that the appellants' employment had been transferred to another company. The appellants' only became aware of this when they applied to the respondent for their redundancy. However this company operated out of

the same building with the same staff.

Based on the appellant's uncontested evidence, the Tribunal finds that the appellants are entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

1st Named appellant

Date of Birth:	15 th January 1979
Date of Commencement:	7 th June 2006
Date of Termination:	23 rd January 2009
Gross Weekly Wage:	€528.00

2nd Named appellant

Date of Birth:	15 th April 1981
Date of Commencement:	7 th November 2005
Date of Termination:	19 th December 2008
Gross Weekly Wage:	€573.96

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is allowed and the 1st named appellant is awarded €1,056.00, the 2nd named appellant is awarded 1,147.92 being the equivalent of two weeks pay as compensation for outstanding notice entitlements.

This award is made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)