

**EMPLOYMENT APPEALS TRIBUNAL**

**CORRECTING ORDER**

APPEALS OF:

CASE NO.

1EMPLOYEE

RP1329/2008  
MN1427/2008

2)EMPLOYEE  
MN1431/2008

RP1333/2008

- *appellants*

against

EMPLOYER  
under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. O'Leary B L

Members: Mr P. Pierce  
Mr J. Maher

heard this appeal at Dublin on 5th May 2009

**Representation:**

Appellants: Mr Andrew McGuinness, SIPTU, Construction Branch, Liberty  
Hall, Dublin

Respondent: Kavanagh Fennell, Simmonscourt House, Simmonscourt Rd. Ballsbridge, Dublin 4

The decision of the Tribunal was as follows:-

This Order corrects the original Order dated 23<sup>rd</sup> July, 2009 and should be read in conjunction with that Order. Based on the period of employment of appellant 1, the Tribunal awards him €1,300.00, being the equivalent of 2 weeks pay (and not one week as stated in original Order) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

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

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Appellants: Mr Andrew McGuinness, SIPTU, Construction Branch, Liberty  
Hall, Dublin

Respondent: Kavanagh Fennell, Simmonscourt House, Simmonscourt Rd. Ballsbridge, Dublin 4

The decision of the Tribunal was as follows:-

#### **Determination:**

Based on the uncontested evidence of appellant (1) the Tribunal finds that he is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following details:

Date of Birth	21 August 1970
Date employment commenced	7 January 2004
Date employment ended	16 February 2007
Gross weekly salary	€650.00

The Tribunal also awards him €650.00 (being the equivalent of 1 weeks pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Based on the uncontested evidence of appellant (2) the Tribunal finds that he is entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following details:

Date of Birth	1 December 1962
Date employment commenced	31 March 2003
Date employment ended	20 July 2007
Gross weekly salary	€650.00

The Tribunal also awards him €1300.00 (being the equivalent of 2 weeks pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

(It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.)

These awards are made subject to the appellants having been in insurable employment under the Social Welfare Acts during the relevant period.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

