

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:		CASE NO.
EMPLOYEE	- Claimant 1	MN1325/2009
EMPLOYEE	- Claimant 2	MN1326/2009
EMPLOYEE	- Claimant 3	MN1327/2009
EMPLOYEE	- Claimant 4	MN1328/2009
EMPLOYEE	- Claimant 5	MN1329/2009
EMPLOYEE	- Claimant 6	MN1330/2009
EMPLOYEE	- Claimant 7	MN1331/2009
EMPLOYEE	- Claimant 8	MN1332/2009
EMPLOYEE	- Claimant 9	MN1333/2009
EMPLOYEE	- Claimant 10	MN1334/2009
EMPLOYEE	- Claimant 11	MN1335/2009
EMPLOYEE	- Claimant 12	MN1336/2009
EMPLOYEE	- Claimant 13	MN1337/2009
EMPLOYEE	- Claimant 14	MN1338/2009
EMPLOYEE	- Claimant 15	MN1339/2009
EMPLOYEE	- Claimant 16	MN1340/2009
EMPLOYEE	- Claimant 17	MN1341/2009
EMPLOYEE	- Claimant 18	MN1342/2009
EMPLOYEE	- Claimant 19	MN1343/2009
EMPLOYEE	- Claimant 20	MN1344/2009

against

EMPLOYER

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy SC

Members: Mr. F. Moloney
Ms. A. Moore

heard these claims in Dublin on 13 October 2009
and 3 December 2009

Representation:

Appellant(s): No attendance or representation

Respondent(s): Mr. John Prenderville, Ernst & Young, Ernst & Young Building,
Harcourt Centre, Harcourt Street, Dublin 2

Mr. Alan Doherty BL instructed by Mr. John Lynch, Whitney Moore,
Solicitors, Wilton Park House, Wilton Place, Dublin 2

The decision of the Tribunal was as follows:-

These claims were brought by U.K.-based employees in the course of the winding-up of the respondent company which was registered and based in Ireland. The cases had been referred to the European Court of Justice which held that the guarantee institution responsible for the notice payments was the U.K. institution. Following that judgment the Department of Trade and Industry in the U.K. made payments to the employees, which payments were subject to various ceilings, leaving unpaid balances due to the employees involved.

The matter was referred to the Tribunal under Section 11 of the Minimum Notice and Terms of Employment Act, 1973, and the parties submitted to arbitration under Section 12 of the Act.

The Tribunal had regard to the wages and length of the service of the different employees and took into account certain earnings by the employees during their notice periods and the amounts paid by

the U.K. Department of Trade and Industry. The Tribunal makes awards under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, in respect of the balances due to each

employee as set out in the attached schedule.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

Employee Name	Case No	Date Started	Date Ended	Date Dismissed	Notice Wks	Gross WklyPay	Notice Awarded
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BELL LINES LIMITED (IN LIQUIDATION)

CLAIMANT 1	MN1325/2009	29-09-86	04-07-97	04-07-97	6	827.40	1283.95
CLAIMANT 2	MN1326/2009	01-10-90	04-07-97	04-07-97	4	612.27	419.19
CLAIMANT 14	MN1338/2009	01-04-91	04-07-97	04-07-97	4	612.27	309.79
CLAIMANT 3	MN1327/2009	01-04-96	04-07-97	04-07-97	1	595.19	162.06
CLAIMANT 4	MN1328/2009	13-06-94	04-07-97	04-07-97	2	949.48	496.17
CLAIMANT 5	MN1329/2009	03-03-69	04-07-97	04-07-97	8	1460.91	5285.26
CLAIMANT 6	MN1330/2009	21-09-70	04-07-97	04-07-97	8	922.35	00.00
CLAIMANT 7	MN1331/2009	05-01-65	04-07-97	04-07-97	8	656.49	604.85
CLAIMANT 15	MN1339/2009	08-07-96	04-07-97	04-07-97	1	488.30	79.76
CLAIMANT 8	MN1332/2009	10-07-89	04-07-97	04-07-97	4	1085.12	1279.56
CLAIMANT 9	MN1333/2009	07-01-80	04-07-97	04-07-97	8	1166.51	2382.90
CLAIMANT 16	MN1340/2009	29-07-96	04-07-97	04-07-97	1	352.67	00.00
CLAIMANT 10	MN1334/2009	14-09-81	04-07-97	04-07-97	8	759.59	419.71
CLAIMANT 17	MN1341/2009	01-04-68	04-07-97	04-07-97	8	1410.66	4265.12
CLAIMANT 11	MN1335/2009	01-12-75	04-07-97	04-07-97	8	759.59	00.00

Employee Name	Case No	Date Started	Date Ended	Date Dismissed	Notice Wks	Gross WklyPay	Notice Awarded
CLAIMANT 18	MN1342/2009	01-02-90	04-07-97	04-07-97	4	786.71	230.91
CLAIMANT 19	MN1343/2009	02-10-72	04-07-97	04-07-97	8	918.69	00.00
CLAIMANT 20	MN1344/2009	08-07-96	04-07-97	04-07-97	1	676.34	224.55
CLAIMANT 12	MN1336/2009	17-08-70	04-07-97	04-07-97	8	1207.19	2062.77
CLAIMANT 13	MN1337/2009	01-04-91	04-07-97	04-07-97	4	612.27	309.89