

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF: EMPLOYEE	CASE NO.
<i>– appellant No 1</i>	MN2008/2009 RP2437/2009 WT906/2009
EMPLOYEE <i>– appellant No 2</i>	MN2009/2009 RP2438/2009 WT907/2009
EMPLOYEE <i>– appellant No 3</i>	MN2010/2009  RP2439/2009 WT908/2009
EMPLOYEE <i>– appellant No 4</i>	MN2011/2009 RP2440/2009 WT909/2009
EMPLOYEE <i>– appellant No 5</i>	MN2012/2009 RP2441/2009 WT910/2009
EMPLOYEE <i>– appellant No 6</i>	MN2014/2009  RP2443/2009 WT912/2009
against EMPLOYER <i>- respondent</i>	

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: Mr M. O'Connell B.L.  
Members: Mr T. O'Grady  
Mr P. Trehy

heard this appeal at Dublin on 16th July 2010

Representation:

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Appellant(s) : XXXXXXXXX

Respondent(s) : In Person

The decision of the Tribunal was as follows:-

### **Preliminary Point**

The claims under the Redundancy Payments Acts 1967 to 2007 were withdrawn by all the appellants at the commencement of the hearing.

### **Determination**

The Tribunal is satisfied having heard the uncontested evidence of the appellants that they did not receive their full entitlements under the Organisation of Working Time Act 1997 and the Minimum Notice and Terms of Employment Acts 1973 to 2005.

#### **Appellant No. 1**

The Tribunal awards the appellant the sum of €4131.60 being the equivalent of an outstanding balance of 5.5 weeks pay owing under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal also awards the appellant the sum of €300.48 being the equivalent of 2 days pay due under the Organisation of Working Time Act 1997.

#### **Appellant No. 2**

The Tribunal awards the appellant the sum of €3628.63 being the equivalent of an outstanding balance of 5.5 weeks pay owing under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal also awards the appellant the sum of €263.90 being the equivalent of 2 days pay due under the Organisation of Working Time Act 1997.

#### **Appellant No. 3**

The Tribunal awards the appellant the sum of €3949.00 being the equivalent of an outstanding balance of 5.5 weeks pay owing under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal also awards the appellant the sum of €287.20 being the equivalent of 2 days pay due under the Organisation of Working Time Act 1997.

**Appellant No. 4**

The Tribunal awards the appellant the sum of €655.80 being the equivalent of an outstanding balance of 1.5 weeks pay owing under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal also awards the appellant the sum of €262.32 being the equivalent of 3 days pay due under the Organisation of Working Time Act 1997.

**Appellant No. 5**

The Tribunal awards the appellant the sum of €1988.00 being the equivalent of an outstanding balance of 3.5 weeks pay owing under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal also awards the appellant the sum of €681.60 being the equivalent of 6 days pay due under the Organisation of Working Time Act 1997.

**Appellant No. 6**

The Tribunal awards the appellant the sum of €1895.60 being the equivalent of an outstanding balance of 3.5 weeks pay owing under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal also awards the appellant the sum of €108.32 being the equivalent of one day's pay due under the Organisation of Working Time Act 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

