

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE
– **First Named Claimant**

UD1336/2009
RP1512/2009
MN1307/2009

EMPLOYEE
– **Second Named Claimant**

UD1337/2009
RP1513/2009
MN1308/2009

against

EMPLOYER– **Respondent**

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007 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. O. Madden B.L.

Members: Mr. T. O'Grady
Ms. M. Maher

heard these claims at Dublin on 9 June 2010

Representation:

Claimant:

Mr. Blazej Nowak, Polish Consultancy Enterprise,
19 Talbot Street, Dublin 1

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

Determination:

At the outset the claims under the Unfair Dismissals Acts were withdrawn. It being clear to the Tribunal from the correspondence on file that, before liquidation, the respondent accepted that both claimants were entitled to redundancy payments and contact with the liquidator confirming that there was no objection the Tribunal finds that the claimants are entitled to lump sum payments under the Redundancy Payments Acts, 1967 to 2007 based on the following schedule. They are also entitled to payments under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 also

as set out in the schedule.

Claimant	Date Birth	of	Employment Began	Employment Ended	Gross Weekly Pay	Notice given	MN weeks award	Minimum Notice Award
First Named	12 February 1978		6 August 2006	3 June 2009	€550-00	None	2	€1100-00
Second Named	30 March 1984		7 August 2006	3 June 2009	€605-00	None	2	€1210-00

In the case of the first named claimant there is a period of non-reckonable service, by reason of lay-off, from 18 December 2008 until 12 March 2009.

It is conceded on behalf of the second named claimant that some €2,200-00 has been received in lieu of monies owed to him.

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 claimants 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)