

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE -*Appellant A*

RP1977/2009

MN1692/2009

EMPLOYEE -*Appellant B*

RP1978/2009

MN1693/2009

EMPLOYEE -*Appellant C*

RP1979/2009

MN1694/2009

against

EMPLOYER - *Respondent*

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: Mr. D. MacCarthy S.C.

Members: Mr. J. Hennessy

Mr. T. Kelly

heard this appeal at Wexford on 30th June 2010

Representation:

Appellant: Mr. Padge Reck, Sunrise, Mulgannon, Wexford

Respondent: No appearance or representation on behalf of the respondent.

The decision of the Tribunal was as follows:

On the 5th January 2009, a director of the company informed Appellant A and B that their positions were redundant. Appellant C continued to work until 10th February 2009 and his claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, was withdrawn during the course of the hearing.

Determination:

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

Appellant A:

Date of Birth: 13th April 1983
Date of Commencement: 8th May 2006
Date of Termination: 5th January 2009
Gross Weekly Pay: €650.00

Please note that there is a weekly ceiling of €600.00 on all awards made from the Social Insurance Fund.

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal finds that the appellant is entitled to €1,300 (being the equivalent to two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Appellant B:

Date of Birth: 17th February 1989
Date of Commencement: 3rd January 2005
Date of Termination: 5th January 2009
Gross Weekly Pay: €530.00

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal finds that the appellant is entitled to €1,060 (being the equivalent to two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Appellant C:

Date of Birth: 4th July 1963
Date of Commencement: 19th February 2003
Date of Termination: 10th February 2009
Gross Weekly Pay: €696.40

Please note that there is a weekly ceiling of €600.00 on all awards made from the Social Insurance Fund.

This award is made subject to the appellant 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)