

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE – *appellant*

CASE NO.
RP2638/2009
MN2147/2009

&
EMPLOYEE – *appellant*

RP2647/2009
MN2152/2009

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 J Fahy BL

Members: Mr W O'Carroll
Ms H Henry

heard this appeal at Galway on 22nd October 2010

Representation:

Appellant(s): In person

Respondent(s): No appearance or representation

The decision of the Tribunal was as follows:

There was no appearance by or representation on behalf of the respondent company. The Tribunal is satisfied that the respondent company was on notice of the hearing.

Both appellants gave evidence that the last day they worked for the respondent company was Friday 24th July 2009. They took a week's holiday after that and returned on Monday 3rd August 2009. The Foreman told him that there was no more work. They were each given their P45 with the date of termination stated as July 24th 2009.

Determination:

The Tribunal finds that a redundancy situation existed in regard to both appellants and accordingly awards them each a redundancy lump sum payment under the Redundancy Payment Acts, 1967 to 2007 based on the following information:

First named appellant (refs: RP2638/2009)

Date of Birth: 24th December 1979
Date of Commencement: 16th February 2006
Date of Termination: 17th August 2009
Weekly Gross Pay: €480.00

Second named appellant (ref: RP2647/2009)

Date of Birth: 19th August 1977
Date of Commencement: 30th June 2004
Date of Termination: 31st August 2009
Weekly Gross Pay: €560.00

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

The Tribunal awards the first named appellant (ref: MN2147/2009) €960.00 under the Minimum Notice and Terms of Employment Act in respect of two weeks' notice. The Tribunal has amended the date of termination to reflect the minimum notice award.

The Tribunal awards the second named appellant (ref: MN2152/2009) €2,240.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 in respect of four weeks' notice. The Tribunal has amended the date of termination to reflect the minimum notice award.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)