

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:		CASE NO.
EMPLOYEE	<i>-claimant 1</i>	UD1832/2009
EMPLOYEE	<i>-claimant 2</i>	UD1833/2009
EMPLOYEE	<i>-claimant 3</i>	UD1834/2009

Against

EMPLOYER  
*-respondent*

under

### UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms D. Donovan

Members: Mr. L. Tobin  
Mr. P. Trehy

heard this claim at Dublin on 5<sup>th</sup> November 2010

#### **Representation:**

---

Claimant: Mr Alistar Rutherford B.L. instructed by Ryan & Associates, Solicitors, 53 North Strand Road, Dublin 3

Respondent No appearance or representation on behalf of

#### **Claimant's Case**

The claimant's were informed they were being made redundant effective from the 31<sup>st</sup> of March 2009. There was a number of other staff with less service retained in place of the claimants. At that time there was so much work the staff couldn't cope with the volume. It transpired that the remaining staff were given 20-hour contracts and in order to cope with the volume of work the balance of hours were treated as overtime. The claimants received their Redundancy lump sums but all wrote to the respondent highlighting their view that it was not a genuine redundancy situation. The respondent had let all staff go and had ceased trading by September 2009.

## **Determination**

Having heard the uncontested evidence of the claimants, the Tribunal find that the claims under the Unfair Dismissals Acts, 1977 to 2007 succeeds and awards compensation as follows:

Claimant 1	-	€15,800.00
Claimant 2	-	€12,880.00
Claimant 3	-	€13,600.00

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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