

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - first appellant

CASE NO.
RP2762/2009

and

EMPLOYEE - second appellant

RP2763/2009

and

EMPLOYEE - third appellant

RP2765/2009

against

EMPLOYER - respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. O'Leary BL

Members: Mr. M. Murphy
Mr. O. Nulty

heard these appeals in Drogheda on 18 January 2011

Representation:

Appellant(s):

No legal or trade union representation

Respondent(s):

No attendance or representation

The decision of the Tribunal was as follows:-

The first appellant claimed that her employment, which commenced on 1 May 2003, ended by reason of redundancy on 19 December 2008 (after the respondent's book-keeper had told her on Monday 15 December 2008 that the employment would end on the said Friday 19 December 2008). The notice to which she was entitled under statute would have brought her termination date to 12 January 2009. Her gross weekly pay was €366.25.

The second appellant claimed that her employment, which commenced on 15 October 2005, ended by reason of redundancy on 18 November 2008. The notice to which she was entitled under statute would have brought her termination date to 2 December 2008. Her gross weekly pay was €240.00.

The third appellant claimed that her employment, which commenced on 2 June 2004, ended by reason of redundancy on 19 December 2008 (after, the Tribunal was told, the respondent's book-keeper had said on Monday 15 December 2008 that the employment would end on the said Friday 19 December 2008). The notice to which she was entitled under statute would have brought her termination date to 30 December 2008. Her gross weekly pay was €481.00.

No oral evidence was offered by or on behalf of the respondent which was not represented at the hearing. Faxed documents provided to the Tribunal by the respondent provided employment details in respect of the three ladies and stated that the written claims before the Tribunal would not be contested.

Determination:

The Tribunal applies Section 15 of the Redundancy Payments Act, 2003, in that it finds the termination date of each appellant to be the date on which their prescribed statutory notice should have expired.

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the first appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	24 August 1955
Date of commencement:	01 May 2003
Date of termination:	12 January 2009
Gross weekly pay:	€366.25

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the second appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	27 June 1965
Date of commencement:	15 October 2005
Date of termination:	02 December 2008
Gross weekly pay:	€240.00

Under the Redundancy Payments Acts, 1967 to 2007, the Tribunal finds that the third appellant is entitled to a redundancy lump sum based on the following details:

Date of birth:	01 September 1983
Date of commencement:	02 June 2004
Date of termination:	30 December 2008
Gross weekly pay:	€481.00

Note:

These awards are made subject to the appellants 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)