

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF: EMPLOYEE	<i>Appellant</i>	CASE NO
	A	RP2874/2009 MN2317/2009
EMPLOYEE	B	RP2875/2009, MN2318/2009
EMPLOYEE	C	RP2876/2009, MN2319/2009
EMPLOYEE	D	RP2877/2009, MN2320/2009
EMPLOYEE	E	MN2321/2009
EMPLOYEE	F	MN2322/2009
EMPLOYEE	G	MN2323/2009

against

EMPLOYER
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: Ms. K. T. O' Mahony B.L.

Members: Mr J. Browne
Ms S. Kelly

heard this appeal at Wexford on 18th February 2011

Representation:

Appellants : In person

Respondent : No representation listed

The decision of the Tribunal was as follows:

The Tribunal is satisfied that the respondent was properly notified of this hearing.
Neither the respondent nor a representative on its behalf appeared for the hearing.

Having heard the direct sworn evidence of all the appellants the Tribunal finds that all seven former employees succeed in their appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. Accordingly, the following awards are made as compensation under those Acts:

Appellant-Award

A €1078.96- 4 weeks at €269.74

B €294.10 - 2 weeks at €147.05
C €217.02- 1 week at €217.02
D €640.00 - 2 weeks at €320.00
E €230.82- 1 week at €230.82
F €161.04- 1 week at €161.04
G €350.00- 1 week at €350.00

The Tribunal is satisfied that appellants *A, B, and D* were dismissed by way of redundancy as defined under the redundancy Acts. Accordingly, their appeals under the Redundancy Payments Acts, 1967 to 2007 are allowed and they are awarded a statutory lump sum under those Acts, and based on the following:

Appellants	Date of Birth	Date of Commencement	Date of Termination	Gross Weekly Wage (€)
A	20. Feb.1973	10. Oct. 2002	1.Oct. 2009	269.74
B	19. Apr.1990	15. Oct. 2006	1.Oct. 2009	147.05
D	07. Aug.1989	22. Sep. 2007	1.Oct.2009	320.00

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

According to appellant *C*'s P45 that was submitted to the Tribunal her date of commencement was 23 January 2009. Since her cessation of employment with the respondent was 1 October 2009 the duration of her employment with the respondent in this case was insufficient to qualify for an entitlement under the redundancy Acts. Accordingly, her appeal under the Redundancy Payments Acts, 1967 to 2007 falls.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

