

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE  
*Appellant No 1*

CASE NO.  
RP893/2010  
MN601/2010  
WT275/2010

EMPLOYEE  
*Appellant No. 2*

RP925/2010  
MN627/2010  
WT288/2010

against

EMPLOYER - *respondent*

under

### **REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr. A. O'Mara  
Mr C. Ryan

heard this appeal at Dublin on 28th October 2010  
and 29th March 2011

#### Representation:

Appellant: Mr Ian Mc Donnell, TEEU, 6 Gardiner Row, Dublin 1

Respondent: No appearance by or on behalf of the respondent

The decision of the Tribunal was as follows:

#### **Determination**

The appeals under the Redundancy Payments Act 1967 to 2007 were withdrawn.

Based on the uncontested evidence of the first named appellant the Tribunal is satisfied that his employment was terminated without notice and loss was established. Accordingly the Tribunal award the appellant €3756.00 being the equivalent of four weeks pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. The Tribunal also finds that the appeal under the Organisation of Working Time Act 1997 succeeds and awards the appellant No 1 €311.75

eing 1.66 days holiday pay.

The second named appellant informed the Tribunal that he got work immediately after his position was terminated with the respondent. That being the case there was no loss and his appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 must fail. The Tribunal finds that the appeal under the Organisation of Working Time Act 1997 succeeds and awards the second named appellant €313.97 being 1.66 days holiday pay.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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