

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

EMPLOYEE

EMPLOYEE

EMPLOYEE

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: Mr J Flanagan BL

Members: Mr G Andrews
Mr M O'Reilly

heard this appeal at Wicklow on 28th April 2011

Representation:

Appellants : In person

Respondent : No representation listed

The decision of the Tribunal was as follows:

Determination:

The Tribunal is satisfied that the respondent was properly notified of this hearing. Neither the respondent nor a representative on its behalf made an appearance. The Tribunal notes a solicitor's letter dated 13th December 2010 and addressed to the Tribunal communicating the instructions of a director of the respondent that the respondent had ceased trading at the end of 2009 and that there were insufficient funds to pursue a liquidation of the company.

Having heard the appellants the Tribunal finds that their employment with the respondent terminated by way of redundancy. Accordingly, the appeals under the Redundancy Payments Acts,

1967 to 2007 are allowed and the appellants are awarded statutory lump sums under these Acts, and based on the following:

<i>Appellants</i>	<i>Date of Birth</i>	<i>Date of Commencement</i>	<i>Date of Termination</i>	<i>Gross Weekly</i>
<i>First named:</i>	18 th December 1979	30 th September 2006	6 th January 2010	€412.00
<i>Second named:</i>	18 th April 1981	18 th September 2005	6 th January 2010	€226.40
<i>Third Named:</i>	30 th April 1978	12 th May 2007	6 th January 2010	€568.00

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

All the appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 are allowed and the first named appellant is awarded €824.00, the second named appellant is awarded €452.80 and the third named appellant is awarded €1136.00 as compensation under these Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)