

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

EMPLOYEE (*appellant 1*)

EMPLOYEE (*appellant 2*)

Against

EMPLOYER-Respondent

EMPLOYER-Respondent

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr S. Mahon

Members: Mr M. Murphy
Mr P. Trehy

heard this appeal at Mullingar on 7th October 2011

Representation:

Appellant(s) :

In Person

Respondent(s) :

Niall Boland, Kpmg, 1 Stokes Place, St. Stephens Green,
Dublin 2

The decision of the Tribunal was as follows:

Appellant 1

CASE NO.

WT800/2011

RP1695/2011

MN2053/2011

MN2052/2011

RP1711/2011

WT801/2011

The Tribunal has considered the time limit for receipt of appeals under Section 24 of the Redundancy Payments Act 1967 as amended by section 12 of the Redundancy Payments Act 1971 and Section 13 of the Redundancy Payments Act 1979 and has decided to allow appellant 1 to present his case.

On the uncontested evidence of appellant 1, the Tribunal finds that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth	27 th June 1985
Employment commenced	1 st June 2003
Employment ended	30 th October 2009
Gross weekly pay	€641

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that payments from the social insurance fund are limited to a maximum of €600-00 per week.

Holiday pay amounting to €2,140.94 was awarded to appellant 1 under the Organisation of Working Time Act, 1997.

The claim under the Minimum Notice and Terms of Employment Act, 1973 was withdrawn.

Appellant 2

On the uncontested evidence of the appellant, the Tribunal finds that the appellant is entitled to a redundancy lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth	13 th January 1975
Employment commenced	3 rd February 2003
Employment ended	25 th June 2010
Gross weekly pay	€871.18

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period. It should be noted that payments from the social insurance fund are limited to a maximum of €600-00 per week

The Tribunal awards the appellant his statutory entitlement of €3,484.72, being the sum due for four weeks' notice, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Holiday pay amounting to €1,813.83 was awarded to appellant 2 under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)