

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:	CASE NO.
EMPLOYEE (Claimant 1)	UD376/2010 RP586/2010 MN352/2010 WT167/2010
EMPLOYEE (Claimant 2)	UD377/2010 RP587/2010 MN353/2010 WT168/2010
EMPLOYEE (Claimant 3)	UD378/2010 RP588/2010 MN354/2010 WT169/2010

against

EMPLOYER
– Respondent

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007
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. N. Russell

Members: Mr. J. Hennessy
Ms. S. Kelly

heard this claim in Kilkenny on 7th September 2011

The claims under the Unfair Dismissals Acts, 1977 and 2007 were withdrawn at the outset of the hearing.

Representation:

Claimant's: Mr. Philip Funchion, Noreside Resource Centre,
22 Vicar Street, Kilkenny

Respondent: No appearance by or on behalf of the respondent

The determination of the Tribunal was as follows:-

Determination

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

The Tribunal is satisfied based on the uncontested evidence of the claimants that they were dismissed by reason of redundancy. Accordingly the Tribunal awards them a redundancy lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:

Claimant 1:

Date of Birth:	24 th January 1980
Date of commencement of employment:	12 th February 2007
Date of termination of employment:	21 st September 2009
Gross weekly pay:	€562.50

Loss having been established, the Tribunal awards the sum of €1125.00, this being two weeks gross pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Claimant 2:

Date of Birth:	20 th April 1982
Date of commencement of employment:	12 th February 2007
Date of termination of employment:	21 st September 2009
Gross weekly pay:	€464.06

Loss having been established, the Tribunal awards the sum of €928.12, this being two weeks gross pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Claimant 3:

Date of Birth:	1 st May 1986
Date of commencement of employment:	12 th February 2007

Date of termination of employment: 21st September 2009
Gross weekly pay: €464.06

Loss having been established, the Tribunal awards the sum of €928.12, this being two weeks gross pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

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

The Tribunal does not have jurisdiction to make awards of Sunday premium. Accordingly the claims under the Organisation of Working Time Act, 1997 are dismissed.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)