

EMPLOYMENT APPEALS TRIBUNAL

| CLAIM(S) OF: | CASE NO. |
|----------------------------------|------------|
| EMPLOYEE - <i>claimant No 1</i> | MN746/2010 |
| EMPLOYEE – <i>claimant No 2</i> | MN744/2010 |
| EMPLOYEE – <i>claimant No 3</i> | MN745/2010 |
| EMPLOYEE – <i>claimant No 4</i> | MN747/2010 |
| EMPLOYEE – <i>claimant No 5</i> | MN748/2010 |
| EMPLOYEE – <i>claimant No 6</i> | MN749/2010 |
| EMPLOYEE – <i>claimant No 7</i> | MN750/2010 |
| EMPLOYEE – <i>claimant No 8</i> | MN751/2010 |
| EMPLOYEE – <i>claimant No 9</i> | MN752/2010 |
| EMPLOYEE – <i>claimant No 10</i> | MN753/2010 |
| EMPLOYEE – <i>claimant No 11</i> | MN754/2010 |
| EMPLOYEE – <i>claimant No 12</i> | MN755/2010 |
| EMPLOYEE – <i>claimant No 13</i> | MN756/2010 |
| EMPLOYEE – <i>claimant No 14</i> | MN757/2010 |
| EMPLOYEE – <i>claimant No 15</i> | MN758/2010 |
| Against | |

EMPLOYER - *respondent*

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Lucey
Members: Mr T. Gill
Mr F. Dorgan

heard this claim at Limerick on 7th December 2011

Representation:

Claimants(s) : Mr. Gerry Hinchy, Dell Redundant Workers Association,
31-32 Upper William St, Limerick

Respondent(s) : Mr. John Barry, Management Support Services (IRL) Limited
The Courtyard, Hill St, Dublin 1.

Determination

As there was no appearance by claimants No 3, 5, 6 and 15 the Tribunal dismisses those claims for lack of prosecution.

In respect of the remainder of the claims the Tribunal is satisfied based on the evidence of all the parties concerned that they did not receive their statutory entitlements under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal notes in particular that none of the claimants signed the disclaimer receipt/waiver put forward by the respondent. Accordingly the Tribunal awards the claimants the following amounts under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The Tribunal is satisfied that all claimants received one week's notice by way of letter dated 22 January 2010 and accordingly awards minimum notice as follows.

Claimant No 1

The Tribunal awards the sum of €1735.53 being the equivalent of three weeks pay.

Claimant No 2

The Tribunal awards the sum of €1416.00 being the equivalent of three weeks pay.

Claimant No 4

The Tribunal awards the sum of €510.05 being the equivalent of one weeks pay.

Claimant No 7

The Tribunal awards the sum of €1550.94 being the equivalent of three weeks pay.

Claimant No 8

The Tribunal awards the sum of €2870.30 being the equivalent of five weeks pay.

Claimant No 9

The Tribunal awards the sum of €1860.75 being the equivalent of three weeks pay.

Claimant No 10

The Tribunal awards the sum of €1883.82 being the equivalent of three weeks pay.

Claimant No 11

The Tribunal awards the sum of €3860.00 being the equivalent of five weeks pay.

Claimant No 12

The Tribunal awards the sum of €1500.84 being the equivalent of three weeks pay.

Claimant No 13

The Tribunal awards the sum of €1604.46 being the equivalent of three weeks pay.

Claimant No 14

The Tribunal awards the sum of €627.71 being the equivalent of one weeks pay.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)