

**EMPLOYMENT APPEALS TRIBUNAL**

**Correcting Order**

APPEALS OF:	CASE NOS.
EMPLOYEE – appellant 1	RP1738/2010 MN1239/2010
EMPLOYEE – appellant 2	
EMPLOYEE – appellant 3	RP2795/2010 WT911/2010
EMPLOYEE– appellant 4	RP2957/2010
EMPLOYEE – appellant 5	
EMPLOYEE – appellant 6	RP2961/2010
	RP2962/2010
	RP2963/2020

against

EMPLOYER – respondent  
EMPLOYER– respondent

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. Niamh O’Carroll-Kelly

Members: Mr. J. Reid  
Mr. J. Maher

heard these appeals at Dublin on 31<sup>st</sup> March 2011

Representation:

Appellant: In person

Respondent: No appearance or representation

The determination of the Tribunal was as follows:

This Correcting Order should be read in conjunction with Order RP1738/2010 signed on 7<sup>th</sup> July 2010.

The award made to appellant 5 should be based on a gross weekly wage of €632.23

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

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heard these appeals at Dublin on 31<sup>st</sup> March 2011

Representation:

Appellant: In person

Respondent: No appearance or representation

The determination of the Tribunal was as follows:

The appeal under the Organisation of Working Time Act 1997 was withdrawn.

## **Determination**

The Tribunal was satisfied that the respondent was properly on notice of the hearing. Based on the uncontested evidence of the appellants, the Tribunal finds that they are each entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following information:

### **Appellant 1**

Date of Birth	31 January 1972
Employment commenced	12 May 2003
Employment ended	4 November 2009
Gross weekly pay	€316.60

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

The appeal by appellant 1 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeeds and he is awarded the sum of €1266.40 being 4 weeks pay.

### **Appellant 2**

Date of Birth	29 November 1972
Employment commenced	01 January 2004
Employment ended	26 November 2009
Gross weekly pay	€568.41

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

### **Appellant 3**

Date of Birth	21 August 1960
Employment commenced	7 July 1996
Employment ended	29 April 2009
Gross weekly pay	€595.89

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

### **Appellant 4**

Date of Birth	16 June 1964
Employment commenced	8 February 2001

Employment ended 29 April 2009  
Gross weekly pay €724.00

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.

Appellant 5

Date of Birth 5 September 1965  
Employment commenced 4 April 2000  
Employment ended 20 December 2008  
Gross weekly pay €316.60

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

Appellant 6

Date of Birth 26 June 1960  
Employment commenced 16 May 2000  
Employment ended 5 November 2009  
Gross weekly pay €634.23

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.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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