

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:

CASE NO.

EMPLOYEE – *appellant 1*  
and

MN1492/2010  
RP 2081/2010

EMPLOYEE – *appellant 2*

MN1493/2010  
RP 2082/2010

against

EMPLOYER

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony B.L.

Members: Mr. G. Andrews  
Mr. O. Wills

heard this appeal at Tralee on 16th September 2011

Representation:

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Appellants: Mr John Kane, Industrial Organiser, SIPTU, 4 Church  
Street, St John's Square, Limerick

Respondent: Dan O'Connor, Terence F. Casey & Co Sols,  
99 College Street, Killarney, Co Kerry

The decision of the Tribunal was as follows:-

It was common case that a redundancy situation existed.

The Tribunal is satisfied that the appellants were dismissed by reason of redundancy. Accordingly, the Tribunal awards each of the appellants a redundancy lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

*Appellant 1*

Date of birth: 12<sup>th</sup> January 1984  
Date of commencement: 3<sup>rd</sup> January 2006  
Date of termination: 13<sup>th</sup> November 2009  
Gross weekly pay: €441.40

*Appellant 2*

Date of birth: 31<sup>st</sup> December 1968  
Date of commencement: 28<sup>th</sup> May 2007  
Date of termination: 13<sup>th</sup> November 2009  
Gross weekly pay: €388.00

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

The appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 are allowed. *Appellant 1* is awarded the sum of €882.80 being equivalent to two weeks' gross pay and *Appellant 2* is awarded the sum of €776.00 being equivalent to two weeks' gross pay under the Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

