

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE – **First Named Claimant**

UD462//2010

RP653/2010

MN424/2010

EMPLOYEE – **Second Named Claimant**

UD484//2010

RP671/2010

MN484/2010

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J. Fahy

Members: Mr T.L. Gill  
Ms H. Henry

heard these claims at Galway on 5 October  
and 16 December 2011

#### **Representation:**

Claimants:

Mr Arek Muszynski, SIPTU Utilities & Construction Division,  
Forster Court, Galway

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

#### **Determination:**

At the outset on the first day the claims under the Unfair Dismissals Acts were withdrawn.

Based on the uncontroverted evidence the Tribunal is satisfied that the claimants were dismissed by reason of redundancy and, accordingly, are entitled to lump sum payments under the Redundancy Payments Acts, 1967 to 2007 based on the criteria set out in the following schedule

---

<b>Claim No.</b>	<b>Appellant</b>	<b>Date of Birth</b>	<b>Employment Started</b>	<b>Employment Ended</b>	<b>Gross Weekly Pay</b>
RP653/10	First Named	10/10/1978	02/10/2004	18/12/2009	498-99
RP671/10	Second Named	02/04/1972	01/07/2004	20/12/2009	521-00

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

Both claimants are entitled to four weeks' pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, €1,995-96 in the case of the first named claimant and €2,084-00 in the case of the second named claimant. Recovery of this part of the award will be problematic as the respondent has been dissolved since March 2010

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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