

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF: CASE NO.

EMPLOYEE MN1562/2010  
EMPLOYEE MN1563/2010

*claimants*

against

EMPLOYER *respondent*

under

### MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms F. Crawford B.L.

Members: Mr J. Goulding  
Mr J. Flannery

heard this claim at Dublin on 6th January 2012

Representation:  
\_\_\_\_\_

Claimants(s): Mr Brian Gormley, Unite The Union, 15 Merrion Square,  
Dublin 2

Respondent(s) : Financial Director of the respondent

The decision of the Tribunal was as follows:-

#### **Claimants' Case**

The first named claimant MMcD told the Tribunal that he commenced employment with the respondent on the 14<sup>th</sup> November 1994. In 2009 he was given six weeks' notice and he agreed to a pay cut. He worked his six weeks' notice and he did not hear about further notice. He received verbal notice of redundancy on the 23<sup>rd</sup> April 2010 and he was made redundant on the 27<sup>th</sup> April 2010.

The second named claimant MD told the Tribunal that he commenced employment with the respondent on the 29<sup>th</sup> May 1995. He was given notice in April 2009 and his employment ended in April 2010. He was not asked to sign a redundancy form.

#### **Respondent's Case**

The financial Director told the Tribunal that both the claimants were given notice in May 2009. The respondent felt it did not have to give notice again. The work that the respondent undertook came to an end and it held on to employees as long as it could.

### **Determination**

Based on the evidence adduced the Tribunal finds that the claimants are entitled to compensation in lieu of notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The first named claimant MMcD is entitled to compensation of €8,186.88 which is equivalent to eight weeks gross pay (€1,023.36 per week)

The second named claimant MD is entitled to compensation of €6,240.00 which is equivalent to six weeks gross pay (€1,040.00 per week)

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

