

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

EMPLOYEE

- first named appellant

EMPLOYEE

- second named appellant

CASE NO.

RP1928/2010

UD1420/2010

MN1368/2010

WT589/2010

RP1976/2010

UD1468/2010

MN1408/2010

WT605/2010

against

EMPLOYER

- first named respondent

EMPLOYER

- second named respondent

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

ORGANISATION OF WORKING TIME ACT, 1997

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Dr. A. Courell B.L.

Members: Mr. D. Morrison
Mr T. Gill

heard this claim at Sligo on 29th February 2012

Representation:

Claimant(s) : Ms. Elaine Finneran BL instructed by:
Howley Carter & Co, Solicitors, 1 Wine Street, Sligo

Respondent(s) : In Person

At the outset the both claims under the Unfair Dismissals Acts, 1977 to 2007 was withdrawn.

The determination of the Tribunal was as follows:-

Preliminary Issue:

Three respondents were originally cited by the appellants in these cases. One named respondent was withdrawn from the proceedings. Evidence was heard by the appellants and the first named respondent in this case. Having carefully considered the sworn evidence heard and submissions made the Tribunal finds the second named respondent cited in this claim is the correct respondent. Any awards determined would be made against the second named respondent **only**.

Determination:

Having carefully evidence and submissions adduced by parties in these cases, the Tribunal finds that the appeals under the Redundancy Payments Acts, 1967 to 2007 succeed and awards the appellants a redundancy lump sum, which is to be calculated on the basis of the following criteria:

First Named Appellant

Date of Birth:	20 February 1976
Date of Commencement:	01 November 2007
Date of Termination:	17 January 2010
Gross Pay:	€ 480.00

Second Named Appellant

Date of Birth:	04 October 1961
Date of Commencement:	02 March 2007
Date of Termination:	17 January 2010
Gross Pay:	€ 480.00

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

Loss having been established the Tribunal awards the following sums, this being two weeks gross pay each, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

First Named Appellant

The sum of € 960.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal also awards the sum of € 480.00, this being five days annual leave, under the Organisation of Working Time Act, 1997.

Second Named Appellant

The sum of € 960.00 under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal also awards the sum of € 1,920.00, this being twenty days annual leave, under the

Organisation of Working Time Act, 1997.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)