

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL(S) OF:

EMPLOYEE (appellant 1)

EMPLOYEE (appellant 2)

EMPLOYEE (appellant 3)

EMPLOYEE (appellant 4)

CASE NO.

RP2130/2010  
WT674/2010  
MN1525/2010

RP2132/2010  
WT676/2010  
MN1527/2010

WT39/2012  
MN1706/2010

RP2378/2010  
MN1725/2010

against

EMPLOYER

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr N. Russell

Members: Mr J. Browne  
Ms S. Kelly

heard this appeal at Wexford on 31st January 2012

Representation:

\_\_\_\_\_

Appellant(s) :

In Person

Respondent(s) :

No representation by or on behalf of respondent

The decision of the Tribunal was as follows:

The Tribunal, being satisfied that the respondent was properly on notice of the hearing, finds based on the uncontroverted evidence, that appellants' 1, 2 and 4 are entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

*Appellant 1:*

|                      |                             |
|----------------------|-----------------------------|
| Date of Birth        | 15 <sup>th</sup> June 1953  |
| Employment commenced | 25 <sup>th</sup> June 2004  |
| Employment ended     | 10 <sup>th</sup> April 2010 |
| Gross weekly pay     | €823.93                     |

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is allowed and the appellant is awarded the sum of €3,295.72 being 4 weeks gross pay. Holiday Pay amounting to €388.80 is also awarded under the Organisation of Working Time Act, 1997.

*Appellant 2:*

|                      |                               |
|----------------------|-------------------------------|
| Date of Birth        | 7 <sup>th</sup> February 1981 |
| Employment commenced | 18 <sup>th</sup> July 2007    |
| Employment ended     | 10 <sup>th</sup> April 2010   |
| Gross weekly pay     | €443.23                       |

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is allowed and the appellant is awarded the sum of €886.46 being 2 weeks gross pay. Holiday Pay amounting to €622.80 is also awarded under the Organisation of Working Time Act, 1997.

*Appellant 3:*

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is allowed and the appellant is awarded the sum of €350 being 1 weeks gross pay. Holiday Pay amounting to €350 is also awarded under the Organisation of Working Time Act, 1997.

*Appellant 4:*

|                      |                             |
|----------------------|-----------------------------|
| Date of Birth        | 26 <sup>th</sup> July 1977  |
| Employment commenced | 6 <sup>th</sup> August 2007 |
| Employment ended     | 7 <sup>th</sup> April 2010  |
| Gross weekly pay     | €877.15                     |

The appeal under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 is allowed and the appellant is awarded the sum of €1,754.30 being 2 weeks gross pay.

These awards are made subject to the appellants' 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 per week

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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