

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE
– *appellant no 1*

RP1378/2010

MN973/2010

WT414/2010

EMPLOYEE
– *appellant no 2*

RP1379/2010

MN974/2010

WT415/2010

against

EMPLOYER
– *respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. J. Revington S.C.

Members: Mr. C. Lucey
Ms. E. Brezina

heard this appeal in Dublin on 23rd September 2011 and on the 28th March 2012

Representation:

Appellant(s): DBD Advice & Information Centre, Apartment 14, Bawnogue Shopping
Centre, Clondalkin, Dublin 22

Respondent: No appearance by or on behalf of the respondent

Determination

The Tribunal is satisfied that the respondent was properly notified of the hearing. Neither the respondent nor a representative on its behalf attended the hearing.

The Tribunal is satisfied based on the uncontested evidence of the appellants that they were dismissed by reason of redundancy. Accordingly the Tribunal awards them a redundancy lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following

information:

Appellant no 1

Date of Birth:	25 th July 1953
Date of commencement of employment:	15 th June 1994
Date of termination of employment:	30 th November 2009
Gross weekly pay:	€400.00

Appellant no 2

Date of Birth:	25 th June 1971
Date of commencement of employment:	4 th January 2004
Date of termination of employment:	30 th November 2009
Gross weekly pay:	€400.00

Loss having been established the Tribunal awards appellant no 1 compensation of €3200.00 which is equivalent to eight week's gross pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

It also awards appellant no 2 compensation of €1600.00 which is equivalent to four week's gross pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal also determines that each appellant is entitled to a further payment of €1,600.00 being the equivalent of four weeks holiday pay under the Organisation of Working Time Act 1997.

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

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)