

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

EMPLOYEE – *appellant No 1*

CASE NO.

MN474/2011

RP617/2011

WT163/2011

EMPLOYEE – *appellant No 2*

MN475/2011

RP618/2011

WT164/2011

EMPLOYEE – *appellant No 3*

MN476/2011

RP619/2011

WT165/2011

EMPLOYEE – *appellant No 4*

MN477/2011

RP620/2011

WT166/2011

EMPLOYEE – *appellant No 5*

MN478/2011

RP621/2011

WT167/2011

EMPLOYEE

– *appellant No 6*

MN479/2011

RP622/2011

WT168/2011

EMPLOYEE – *appellant No 7*

MN480/2011

RP623/2011

WT169/2011

EMPLOYEE

– *appellant No 8*

MN481/2011

RP624/2011

WT170/2011

Against

EMPLOYER- *respondent*

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. D. Mac Carthy S C

Members: Mr T. Gill
Mr M. O'Reilly

heard this appeal at Tullamore on 3rd May 2012

Representation:

Appellant(s) : In Person

Respondent(s) : No appearance by or on behalf of respondent(s)

Determination

The claims under the Organisation of Working Time Act 1997 were withdrawn by each appellant during the course of the hearing.

The appellants were dismissed by reason of redundancy. The appellants are entitled to redundancy lump sum payments based on the following criteria:

Appellant No 1

| | |
|-------------------------------|--------------------------------------|
| Date of Birth: | 24 February 1981 |
| Service from: | 15 September 1999 to 14 January 2011 |
| Non-reckonable service: | Nil |
| Normal weekly remuneration: | €172.58 |
| Amount of redundancy payment: | €4086.69 |

The Tribunal also awards the appellant € compensation (this being the equivalent of 6 weeks pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Appellant No 2

Date of Birth: 2 October 1989
Service from: 27 September 2007 to 16 January 2011
Non-reckonable service: Nil
Normal weekly remuneration: €49.20
Amount of redundancy payment: €374.90

The Tribunal also awards the appellant €78.72 compensation (this being the equivalent of 1 week and 3 days pay) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Appellant No 3

Date of Birth: 11 December 1958
Service from: 15 February 1986 to 16 January 2011
Non-reckonable service: Nil
Normal weekly remuneration: €277.50
Amount of redundancy payment: €14119.20

The Tribunal also awards the appellant €4051.50 compensation (this being the equivalent of 14 weeks and 3 days pay) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Appellant No 4

Date of Birth: 5 March 1986
Service from: 15 March 2004 to 16 January 2011
Non-reckonable service: Nil
Normal weekly remuneration: €189.00
Amount of redundancy payment: €2778.30

The Tribunal also awards the appellant €680.40 compensation (this being the equivalent of 3 weeks and 3 days pay) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Appellant No 5

Date of Birth: 10 January 1990
Service from: 28 June 2005 to 16 January 2011
Non-reckonable service: Nil
Normal weekly remuneration: €224.10
Amount of redundancy payment: €2474.06

The Tribunal also awards the appellant €806.76 compensation (this being the equivalent of 3 weeks and 3 days pay) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Appellant No 6

Date of Birth: 9 July 1977
Service from: 15 September 2007 to 16 January 2011
Non-reckonable service: Nil
Normal weekly remuneration: €51.90
Amount of redundancy payment: €398.59

The Tribunal also awards the appellant €103.80 compensation (this being the equivalent of 2 weeks pay) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Appellant No 7

Date of Birth: 15 April 1965
Service from: 16 October 2002 to 15 January 2011
Non-reckonable service: Nil
Normal weekly remuneration: €267.00
Amount of redundancy payment: €4677.84

The Tribunal also awards the appellant €1014.60 compensation (this being the equivalent of 3 weeks and 4 days pay) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Appellant No 8

Date of Birth: 14 May 1969
Service from: 4 January 2007 to 16 January 2011
Non-reckonable service: Nil
Normal weekly remuneration: €267.00
Amount of redundancy payment: €2424.36

The Tribunal also awards the appellant €427.20 compensation (this being the equivalent of 1 week and 3 days pay) under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

These awards are subject to the appellants having been in employment which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

