

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM OF:**  
EMPLOYEE  
- *Claimant*

**CASE NO.**  
UD143/2012  
RP725/2012

Against

EMPLOYER  
- *Respondent 1*

EMPLOYER  
- *Respondent 2*

EMPLOYER  
- *Respondent 3*

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**  
**UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms P. McGrath B.L.

Members: Mr. A. O'Mara  
Mr J. Maher

heard this claim at Dublin on 18th June 2012

**Representation:**

Claimant: Ms. MP Guinness, B.L. instructed by Ms. Aine Curran, O'Mara Geraghty McCourt,  
Solicitors, 51 Northumberland Road, Dublin 4

Respondent 1: HR Manager of respondent

Respondent 2: HR Manager of respondent

Respondent 3: Ms Reiltin McCaul, IACTO, Suite 1b, Bluebell Business Centre, Old Naas Road,  
Dublin 12

The determination of the Tribunal was as follows:-

The Tribunal has carefully considered all the evidence it has heard in connection with the employment dispute between the claimant and the three named respondents. It became apparent in the course of the evidence that Respondent 1 and Respondent 2 are the correct employers in the circumstances outlined and this meant that Respondent 3 had no liability as an employer.

It is noted by the Tribunal that representatives on behalf of Respondent 1 and Respondent 2 accepted their status as employer of the claimant. Each VEC engaged the claimant for a specified number of hours work per week on an ongoing basis.

It was further agreed between the parties that the claimant was made redundant and the parties agreed to allow the proceedings be amended to reflect a claim being made under the Redundancy Payments Acts 1967 to 2007. Accordingly the claims being made under the Unfair Dismissals Acts 1977 to 2007 were withdrawn in respect of all three respondents.

**Determination:**

The Tribunal finds that the claimant is entitled to a lump sum payment, under the Redundancy Payments Acts 1967 to 2007, in respect of his employment with Respondent 1 based on the following criteria:

Date of Birth:	21 <sup>st</sup> September 1942
Date of Commencement:	1 <sup>st</sup> February 1999
Date of Termination:	29 <sup>th</sup> June 2011
Gross Pay:	€129

This award is made subject to the claimant having been in insurable employment under the relevant Social Welfare Acts.

The Tribunal finds that the claimant is entitled to a lump sum payment, under the Redundancy Payments Acts 1967 to 2007, in respect of his employment with Respondent 2 based on the following criteria:

Date of Birth:	21 <sup>st</sup> September 1942
Date of Commencement:	1 <sup>st</sup> September 1993
Date of Termination:	29 <sup>th</sup> June 2011
Gross Pay:	€344

This award is made subject to the claimant having been in insurable employment under the relevant Social Welfare Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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