

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

EMPLOYEE

-Claimant A

CASE NO.

UD2409/2010
RP3244/2010
MN2349/2010
WT1058/2010

EMPLOYEE

-Claimant B

UD2410/2010
RP3245/2010
MN2350/2010
WT1059/2010

EMPLOYEE

-Claimant C

UD2411/2010
RP3246/2010
MN2351/2010
WT1060/2010

against

EMPLOYER

-Respondent

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007
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: Ms N. O'Carroll-Kelly B.L.

Members: Mr D. Winston
Mr F. Barry

heard this claim at Dublin on 29th May 2012

Representation:

Claimants: Spelman Callaghan, Solicitors, Corner House, Main Street,
Clondalkin, Dublin 22

Respondent: No appearance or representation.

The determination of the Tribunal was as follows:

The Tribunal is satisfied that the receiver was duly notified of the hearing.

Representation for the claimants informed the Tribunal that the claims under the Unfair Dismissals Acts, 1977 to 2007 and the Organisation of Working Time Act, 1997 were

withdrawn.

Determination:

Based on the claimants' uncontested evidence the Tribunal finds that they are entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Claimant A:

Date of Birth:	5 November 1974
Date of Commencement:	1 April 2007
Period of non-reckonable service:	15 March 2010 to 11 June 2010
Date of Termination:	11 June 2010
Gross Weekly Pay:	€700.00

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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

The Tribunal also finds that Claimant A is entitled to the sum of €1,400.00 (being the equivalent of two weeks gross pay) under the Minimum Notice and Terms of Employments Acts, 1973 to 2005.

Claimant B:

Date of Birth:	15 January 1980
Date of Commencement:	10 December 2007
Date of Termination:	29 October 2010
Gross Weekly Pay:	€700.00

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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

The Tribunal also finds that Claimant B is entitled to the sum of € 1,400.00 (being the equivalent of two weeks gross pay) under the Minimum Notice and Terms of Employments Acts, 1973 to 2005.

Claimant C:

Date of Birth:	25 October 1974
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Date of Commencement: 1 June 2007
Period of non-reckonable service: 4 January 2010 to 15 January 2010
Period of non-reckonable service: 31 May 2010 to 25 June 2010
Date of Termination: 29 October 2010
Gross Weekly Pay: €700.00

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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

The Tribunal also finds that Claimant C is entitled to the sum of € 1,400.00 (being the equivalent of two weeks gross pay) under the Minimum Notice and Terms of Employments Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)