

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

EMPLOYEE

- *Appellant 1*

CASE NO.

RP657/2011

MN514/2011

EMPLOYEE

- *Appellant 2*

RP658/2011

MN515/2011

Against

EMPLOYER

- Respondent

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr. J. Reid
Mr G. Whyte

heard this appeal at Dublin on 16th July 2012

Representation:

Appellant: Mr Billy Wall, Operative Plasterers & Allied Trades', Society Of Ireland, 72
Shantalla Road, Beaumont, Dublin 9

Respondent: Ms. Judy McNamara, Peninsula Business Services (Ireland) Limited, Unit 3,
Ground Floor, Block S, East Point Business Park, Dublin 3

The decision of the Tribunal was as follows:-

At the outset of the hearing Appellant 1 withdrew his claim under the Minimum Notice and Terms of Employment Acts 1973 to 2005. The respondent conceded that Appellant 2 did not receive his statutory entitlement of two weeks minimum notice under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Determination

The respondent conceded that a redundancy situation existed. The Tribunal awards the appellant's redundancy lump sums under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria:

Appellant 1

Date of Birth: 30th August 1973
Date of Commencement: 13th September 2004
Date of Termination: 14th May 2010
Gross Pay: €744

Appellant 2

Date of Birth: 10th August 1974
Date of Commencement: 26th November 2006
Date of Termination: 14th May 2010
Gross Pay: €690

The Tribunal awards Appellant 2 the sum of €1,380.00, being the equivalent to two weeks pay, in respect of his statutory entitlement under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

These awards are made subject to the appellants having been in employment which is insurable for all purposes under the relevant Social Welfare Acts.

It should be noted that a statutory weekly ceiling of €600.00 applies to payments from the Social Insurance Fund.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)