

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:  
EMPLOYEE  
(*Claimant A*)

CASE NO.  
UD712/2011, RP989/2011  
MN766/2011WT292/2011

EMPLOYEE  
(*Claimant B*)

UD713/2011, RP990/2011  
MN767/2011WT293/2011

against

EMPLOYER

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: Mr L. Ó Catháin

Members: Mr G. Andrews  
Mr O. Wills

heard this claim at Tralee on 22nd October 2012

### **Representation:**

Claimants : Ms Marguerite Fitzgerald, Mannix & Co, Solicitors, 12 Castle Street, Tralee, Co Kerry

Respondent : No representation listed

The determination of the Tribunal was as follows:

Having considered the circumstances and submissions on these cases the Tribunal finds that the claimants' employment ceased with the respondent by way of redundancy. Accordingly, the Tribunal allows the appeals under the Redundancy Payments Acts, 1967 to 2007 and awards each a statutory lump sum based on the following:

	<i>Claimant A</i>	<i>Claimant B</i>
Date of Birth:	24 December 1963	16 March 1977
Date of Commencement:	31 March 2003	18 July 2006
Date of Termination:	23 March 2011	25 Feb 2011
Gross Weekly Wage:	€337.35	€168.68

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

Both appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeed and claimant A is awarded €1012.05 and claimant B is awarded €168.68 as compensation for outstanding notice.

The appeals under the Organisation of Working Time Act, 1997 are allowed and claimant A is awarded €1079.52 and claimant B is awarded €151.81 under that Act.

The claims under the Unfair Dismissals Acts, 1997 to 2007 are deemed to have been withdrawn.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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