

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:	CASE NO.
EMPLOYEE 1- <i>claimant 1</i>	MN186/2011 WT47/2011
EMPLOYEE 2- <i>claimant 2</i>	MN187/2011 WT48/2011
EMPLOYEE 3- <i>claimant 3</i>	MN188/2011 WT49/2011
EMPLOYEE 4 – <i>claimant 4</i>	MN189/2011 WT50/2011
EMPLOYEE 5 - <i>claimant 5</i>	MN276/2011 WT76/2011

Against

EMPLOYER - *respondent*

under

**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. K.T. O'Mahony B.L.

Members: Mr D. Hegarty  
Mr D. McEvoy

heard this claim at Cork on 29th June 2012

Representation:

Claimants(s) : Mr. Barry Murphy, OPATSI, Unit 2, Árd Álainn Business Park,  
Churchfield, Cork

Respondent(s) : Gerard Murphy (Liquidator), Gerard Murphy & Co Solicitors, 46 St Marys  
Road, Midleton, Co Cork

**Determination**

Each of the five named claimants attended the hearing and gave evidence of being employed by the respondent.

Claimant 1 commenced employment on the 15 March 2010 and his employment ended on the 13 August 2010 without receiving any notice. He took no holidays during the period of

employment

Claimant 2 commenced employment on the 15 March 2010 and his employment ended on the 5 August 2010 without receiving any notice. He took no holidays during the period of employment.

Claimant 3 commenced employment on the 8 March 2010 and his employment ended on the 20 August 2010 without any notice. He took two days holidays during the period of employment.

Claimant 4 commenced employment on the 17 March 2010 and his employment ended on the 20 August 2010 without any notice. He took no holidays during the period of employment.

Claimant 5 commenced employment on the 15 March 2010 and his employment ended on the 27 August 2010 without any notice. He took no holidays during the period of employment.

In the absence of any evidence from the respondent to dispute the claimants' evidence the Tribunal awards each and every one of the claimants €650.52 in lieu of one week's notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal awards each and every one of the claimants €940.83, this being ten days' pay for arrears of holiday pay under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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