

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:  
EMPLOYEE1 - *appellant 1*

CASE NO.  
RP2697/2011

EMPLOYEE 2 -*appellant 2*

WT848/2011  
MN2130/2011  
RP2865/2011

WT920/2011  
MN2305/2011

Against

EMPLOYER

under

**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 P. McGrath B.L.

Members: Mr D. Peakin  
Mr J. Maher

heard this appeal at Dublin on 28th February 2013

Representation:

\_\_\_\_\_

Appellants: In person

Respondent: Not present or represented

**The decision of the Tribunal was as follows:-**

The Tribunal are satisfied that the respondent was properly put on notice.

*Appellant 1* withdrew his case under the Redundancy Payments Acts 1967 to 2007.

The Tribunal find that the appeals under the Organisation of Working Time Act 1997 and the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeed.

The Tribunal award €4,220.94 being the equivalent to six weeks' pay in lieu of notice and a further €1,899.45, being the equivalent of thirteen and a half days' pay in respect of unpaid annual leave, under the Organisation of Working Time Act, 1997.

*Appellant 2*

Having heard the evidence of the appellant the Tribunal is satisfied that the appellant is entitled to a lump sum payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria,

Date of Commencement:	14 <sup>th</sup> May 2009
Date of Termination:	23 <sup>rd</sup> July 2011
Gross Weekly Pay:	€751.84

The Tribunal also award €1503.68 being the equivalent to two weeks' pay in lieu of notice and a further €751.84, being the equivalent of one weeks' pay in respect of unpaid annual leave, under the Organisation of Working Time Act, 1997.

A ceiling of €600.00 applies to any payments from the Social Insurance Fund and this award is subject to the claimant having been in employment which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

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

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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