

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE
–**First Named Appellant**

RP2752/2011
MN2168/2011

EMPLOYEE
–**Second Named Appellant**

WT870/2011
RP2840/2011
MN2281/2011

against

EMPLOYER
– **First Named Respondent**

EMPLOYER
– **Second Named Respondent**

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 S. McNally

Members: Mr D. Hegarty
Mr J. Flavin

heard these appeals at Cork on 19 February 2013

Representation:

Appellants:

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

Determination:

The Tribunal, being satisfied that the respondents were properly on notice of the hearing, finds,

based on the uncontroverted evidence, that the appellants were dismissed by reason of redundancy by the second named respondent and are entitled to lump sum payments under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria

| Appellant | Date of Birth | Employment Began | Employment Ended | Gross Weekly Pay |
|-----------|---------------|------------------|------------------|------------------|
| 1st Named | 17/05/1978 | 26/09/2006 | 26/11/2010 | €600-00 |
| 2nd Named | 24/02/1964 | 10/04/2008 | 26/11/2010 | €572-00 |

The first named appellant is awarded €600-00, the second named appellant is awarded €572-00, being one week's pay in each case, under the Minimum Notice And Terms of Employment Acts, 1973 to 2005.

These awards are made subject to the appellants having been in insurable employment under the Social Welfare Consolidation Act, 2005 during the relevant period.

The Tribunal had no jurisdiction to deal with the claim of the first named appellant under the Organisation of Working Time Act, 1997 as the claim related to overtime arrangements whereas the Tribunal's jurisdiction is restricted to Part III of the Act which deals with Holidays.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)