

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

EMPLOYEE  
(1<sup>st</sup> named claimant)

RP2901/2011  
UD2325/2011  
MN2349/2011

EMPLOYER  
(2<sup>nd</sup> named claimant)

UD2326/2011

RP2902/2011  
MN2350/2011

Against

Brennan Convenience Foods Limited, (In liquidation) C/O Michael Magee, Westboro Partners,  
Westboro House, Montenotte, Cork.

Food Partners, E8 North City Business Park, North Road, Finglas, Dublin 11

Food Partners, 2 Castlepark, Kinsale, Co Cork

*respondent*

under

### **MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr G. Hanlon

Members: Mr T. O'Grady  
Mr J. Maher

heard this claim at Dublin on 22nd April 2013

Representation:

\_\_\_\_\_

Claimant(s): The claimants in person

Respondent(s): No attendance by or on behalf of the respondent

The determination of the Tribunal was as follows:-

### **Determination**

On the uncontested evidence of the first named claimant the Tribunal finds that he did not have the requisite two years' service with the respondent in which to pursue a claim under the Redundancy Payments Acts, 1967 to 2007 and therefore his claim fails.

The first named claimant did not receive notice of termination of his employment and he is entitled to one week's gross pay in lieu of notice in the amount of €375.00 under the Minimum Notice and Terms of Employment Acts 1973 to 2005.

The claimant is not entitled to compensation under the Unfair Dismissals Acts, 1977 to 2007 and the claim fails.

On the uncontested evidence of the second named claimant the Tribunal finds that he is entitled to a redundancy lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:-

Date of birth	24 <sup>th</sup> August 1982
Date employment started	13 <sup>th</sup> September 2009
Date employment ended	11 <sup>th</sup> November 2011
Gross weekly pay	€375.00

This award is made subject to the second named claimant having been in insurable employment under the Social Welfare Acts during the relevant period.

As his employment ended without notice he is entitled to two weeks gross pay in the amount of €750.00 (€375.00 per week) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

