

## EMPLOYMENT APPEALS TRIBUNAL

| CLAIM(S) OF: |                                | CASE NO.   |
|--------------|--------------------------------|------------|
| EMPLOYEE     | - <i>first named claimant</i>  | MN303/2012 |
| EMPLOYEE     | - <i>second named claimant</i> | MN304/2012 |
| EMPLOYEE     | - <i>third named claimant</i>  | MN305/2012 |
| EMPLOYEE,    | - <i>fourth named claimant</i> | MN306/2012 |
| against      |                                |            |
| EMPLOYER     | - <i>respondent</i>            |            |
| under        |                                |            |

### MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr. T. O'Sullivan  
Mr F. Barry

heard this claim at Dublin on 5<sup>th</sup> December 2012  
and 18<sup>th</sup> April 2013

#### **Representation:**

Claimants(s) : First, Second and Third Claimants Present on both dates  
Fourth Named Claimant – Not Represented

Respondent(s) : In Person - 5<sup>th</sup> December 2012  
Not Present or Represented – 18<sup>th</sup> April 2013

The decision of the Tribunal was as follows:-

#### **Background:**

An email dated the 12<sup>th</sup> April 2013 was submitted by the respondent in this case to state the company was “*forced to close*” their Dublin/ROI operations as of the 8<sup>th</sup> March 2013 and they “*will not be in attendance or represented at the above hearing(s) as this company has now been dissolved*”.

The appellants present had originally cited an incorrect title for the respondent on their original T1A forms. The appellants made an application each to the Tribunal under Section 39 of the Organisation of Working Time Act, 1997 to amend the title of the respondent to the correct title.

Having considered the matter the sitting Division of the Tribunal granted the applications to amend the title of the respondent in the First, Second and

**Determination:**

**First Named Claimant**

Loss having been established the Tribunal awards the sum of € 1,028.50, this being two weeks gross pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

**Second Named Claimant**

Loss having been established the Tribunal awards the sum of € 880.00, this being two weeks gross pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

**Third Named Claimant**

Loss having been established the Tribunal awards the sum of € 943.50, this being two weeks gross pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

**Fourth Named Claimant**

The Minimum Notice and Terms of Employment Acts, 1973 to 2005 fails for want of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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