

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:		CASE NOS.
EMPLOYEE 1	- Appellant No. 1	RP2223/11 MN1741/11
EMPLOYEE 2	- Appellant No. 2	RP2224/11 MN1742/11
EMPLOYEE 3	- Appellant No. 3	RP2225/11 MN1743/11

Against

EMPLOYER - **Respondent**

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr.J. Lucey

Members: Mr. G. Andrews
Mr F. Dorgan

heard these appeals at Limerick on 21st January 2013 and 16th April 2013.

Representation:

Appellants: REP

Respondent: No appearance by or on behalf of the respondent.

The determination of the Tribunal was as follows:-

Determination:

The appellants were not present on the first day of the hearing. 21st January 2013. However, their representative told the Tribunal that the appellants had returned to Poland and that he had emailed each appellant but did not receive a reply from them.

The representative applied for an adjournment of the hearing that day. The Tribunal granted the adjournment but asked the representative to furnish the Tribunal with the appellants' Polish addresses within a specified time. This was subsequently done. The case was relisted for hearing on 16th April 2013.

On 16th April 2013 there was no appearance by appellant no. 1. His representative told the Tribunal that he was living and working in France. No application was made to adjourn this case.

There was no appearance by or on behalf of the respondent on 16th April 2013 and the Tribunal is satisfied that the respondent was duly notified of the hearing.

Appellant No. 1

The Tribunal is satisfied that appellant no. 1 was duly notified of the hearing. He did not attend the hearing. The Tribunal dismisses his appeal under the Redundancy Payments Acts, 1967 to 2007 and the Minimum Notice and Terms of Employment Acts, 1973 to 2005 for want of prosecution.

Appellant No. 2

Based on the uncontested evidence of appellant no. 2 the Tribunal awards him a redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth:	10 th January 1961
Date of Commencement:	4 th October 2006
Date of Termination:	30 th June 2011
Gross Weekly Wage:	€308.65

This award is made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

The Tribunal also awards the appellant €617.30 being the equivalent of two weeks pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Appellant No. 3

Based on the uncontested evidence of appellant no. 3 the Tribunal awards him a redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

Date of Birth:	10 th August 1971
Date of Commencement:	4 th June 2006
Date of Termination:	30 th June 2011
Gross Weekly Wage:	€313.46

This award is made subject to the appellant fulfilling current social welfare requirements in relation to PRSI contributions.

The Tribunal also awards the claimant €1253.84 being the equivalent of four weeks pay under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)