

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE *-claimant A*

CASE NO.
UD2205/2011

RP2825/2011
MN2252/2011

EMPLOYEE *-claimant B*

UD2206/2011

RP2826/2011
MN2253/2011

EMPLOYEE *-claimant C*

UD2207/2011

RP2827/2011
MN2254/2011

EMPLOYEE *-claimant D*

UD2208/2011

RP2828/2011
MN2255/2011

against

EMPLOYER *-respondent*
under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
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 T. Taaffe

Members: Mr D. Moore
Ms M. Maher

heard this claim at Dublin on 8th April 2013

Representation:

Claimants:

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

Background:

The receiver for a second-named respondent was represented at the hearing. The Tribunal was informed that the second-named respondent was not the claimants' employer. There was

o appearance on behalf of a third-named respondent.

The representative on behalf of the claimants informed the Tribunal that there was a difficulty in ascertaining the identity of the employer due to variance in the employer named on various documentation received by the claimants. However, the employer number utilised for tax purposes correlated to the respondent company.

Determination:

The Tribunal is satisfied that the respondent was the claimants' employer. The other named respondents were released from the proceedings.

Based on the claimants' uncontested evidence the Tribunal find they are entitled to a redundancy payment based on the following criteria:

Claimant A:

Date of Birth:	5 March 1988
Date of Commencement:	8 October 2008
Date of Termination:	30 May 2011
Gross Weekly Pay:	€423.08

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

The Tribunal also finds that claimant A is entitled to the sum of €846.16 (being the equivalent of two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Claimant B:

Date of Birth:	9 June 1983
Date of Commencement:	10 March 2007
Date of Termination:	30 May 2011
Gross Weekly Pay:	€423.08

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

The Tribunal also finds that claimant B is entitled to the sum of €846.16 (being the equivalent of two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Claimant C:

Claimant C was not present at the hearing but the following details were supplied by his representative to the Tribunal.

Date of Birth:	26 November 1986
Date of Commencement:	6 September 2007
Date of Termination:	2 June 2011

Gross Weekly Pay: €423.08

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

The Tribunal also finds that claimant C is entitled to the sum of €846.16 (being the equivalent of two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Claimant D:

Date of Birth: 21 January 1990
Date of Commencement: 14 July 2008
Date of Termination: 2 June 2011
Gross Weekly Pay: €423.08

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

The Tribunal also finds that claimant D is entitled to the sum of €846.16 (being the equivalent of two weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The claims under the Unfair Dismissals Acts, 1977 to 2007, are dismissed the Tribunal having found a redundancy situation existed in relation to the termination of the claimants' employment.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)