

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

6 Employees

MN1324/2008

RP1227/2008

MN1325/2008

RP1228/2008

MN1326/2008

RP1229/2008

MN1327/2008

RP1230/2008

MN1328/2008

RP1231/2008

RP31/2009

against

Employer

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: Ms. K. T. O'Mahony B.L.

Members: Mr. P. Casey
Ms. P. Doyle

heard this appeal at Mallow on 9th June 2009

Representation:

Appellant :

Mr Billy Kyne, Regional Officer, Amicus, 11 Pery Square,
Limerick

Respondent :

In person

The decision of the Tribunal was as follows:-

There was a downturn in the respondent's business.

The Tribunal is satisfied that the appellants' employment ended by reason of redundancy and without their notice entitlements. The appellants' are entitled to a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria:

First named appellant:

Date of Birth	30 th December 1981
Date employment commenced	28 th June 2004
Date employment ended	01 st August 2008
Gross weekly wage	€566.80

The appellant was placed on temporary lay off from 28th January to 12th February 2008 and from 13th June to 1st August 2008

Second named appellant:

Date of Birth	29 th May 1972
Date employment commenced	09 th March 2006
Date employment ended	01 st August 2008
Gross weekly wage	€566.80

The appellant was placed on temporary on lay off from 26th January to 11th February 2008 and from 13th June to 1st August 2008

Third name appellant:

Date of Birth	27 th January 1964
Date employment commenced	24 th January 2005
Date employment ended	01 st August 2008
Gross weekly wage	€566.08

The appellant was placed on temporary lay-off from 28th January to 14th February 2008 and from 13th June to 1st August 2008

Fourth named appellant:

Date of Birth	04 th November 1977
Date employment commenced	28 th June 2004
Date employment ended	01 st August 2008
Gross weekly wage	€566.80

The appellant was placed on temporary lay-off from 28th January to 8th February 2008 and from 13th June to 1st August 2008

Fifth named appellant:

Date of Birth	14 th December 1960
Date employment commenced	27 th September 2004
Date employment ended	01 st August 2008
Gross weekly wage	€566.80

The appellant was placed on temporary lay-off from 28th January to 6th February 2008 and from 13th June to 1st August 2008

Sixth named appellant:

Date of Birth	31 st January 1978
Date employment commenced	01 st February 2005
Date employment ended	08 th August 2008
Gross weekly wage	€566.80

These awards are made subject to the appellant's having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal also makes awards under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 as follows:

First named appellant/employee	€1,133.60 (2 weeks)
Second named appellant/employee	€1,133.60 (2 weeks)
Third named appellant/employee	€1,133.60 (2 weeks)
Fourth named appellant/employee	€1,133.60 (2 weeks)
Fifth named appellant/employee	€1,133.60 (2 weeks)

The Tribunal notes that the sixth named appellant/employee did not lodge a claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

