

CORRECTING ORDER

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF: EMPLOYEE	<i>-Appellant A</i>	CASE NO. RP861/2010 MN578/2010
EMPLOYEE	<i>-Appellant B</i>	RP1429/2010 MN1515/2011
against EMPLOYER	<i>-Respondent</i>	

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr N. Russell

Members: Mr J. Browne
Ms S. Kelly

heard this appeal at Kilkenny on 24th June 2011

Representation:

Appellant: In Person

Respondent: Dobbyn & McCoy, Solicitors, 4/5 Colbeck Street, Waterford

The decision of the Tribunal was as follows:

This order corrects the original Order dated August 30th 2011 and should be read in conjunction with that Order.

The respondent conceded that Appellant A is entitled to six weeks minimum notice. The respondent also conceded that Appellant B has an outstanding entitlement to four weeks minimum notice.

The Tribunal finds that the lump sum payments under the Redundancy Payments Acts, 1967 to 2007, should be based upon the following criteria:

Appellant A:

Date of Birth: 4th February 1973
Date of Commencement: 1st October 1988
First Period of lay-off: 1st June 2009 to 2nd October 2009
Second Period of lay-off: 31st October 2009 to 26th January 2010
Date of Termination: 26th January 2010
Gross Weekly Pay: €643.50

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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 Appellant A is entitled to the sum of €3,861.00 (being the equivalent of six weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Appellant B:

Date of Birth: 21st September 1974
Date of Commencement: 18th March 1998
Period of lay-off: 1st June 2009 to 2nd October 2009
31st October 2009 to 11th March 2010
Date of Termination: 11th March 2010
Gross Weekly Pay: €643.50

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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 Appellant B is entitled to the sum of €2,574.00 (being the equivalent of four weeks' gross 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)

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE -*Appellant A*

CASE NO.
RP861/2010
MN578/2010

EMPLOYEE -*Appellant B*

RP1429/2010
MN1515/2011

against
EMPLOYER -*Respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr N. Russell

Members: Mr J. Browne
Ms S. Kelly

heard this appeal at Kilkenny on 24th June 2011

Representation:

Appellant: In Person

Respondent: Dobbyn & McCoy, Solicitors, 4/5 Colbeck Street, Waterford

The decision of the Tribunal was as follows:

The respondent conceded that the appellants were entitled to a redundancy payment and a minimum notice payment.

The Tribunal finds that the lump sum payments under the Redundancy Payments Acts, 1967 to 2007, should be based upon the following criteria:

Appellant A:

Date of Birth:	4 th February 1973
Date of Commencement:	1 st October 1988
First Period of lay-off:	1 st June 2009 to 2nd October 2009
Second Period of lay-off:	31 st October 2009 to 26 th January 2010
Date of Termination:	26 th January 2010

Gross Weekly Pay: €643.50

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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 Appellant A is entitled to the sum of €5,148 (being the equivalent of eight weeks' gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Appellant B:

Date of Birth:	21 st September 1974
Date of Commencement:	18 th March 1998
Period of lay-off:	1 st June 2009 to 2 nd October 2009 31 st October 2009 to 11 th March 2010
Date of Termination:	11 th March 2010
Gross Weekly Pay:	€643.50

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

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 Appellant B is entitled to the sum of €3,861.00 (being the equivalent of six weeks' gross 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)