

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:		CASE NO.
EMPLOYEE	- appellant no. 1	MN2318/2010 RP3209/2010
EMPLOYEE	- appellant no. 2	MN2320/2010 RP3211/2010
EMPLOYEE	- appellant no. 3	MN2346/2010 RP3243/2010
<b>against</b>		
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: Ms N. O'Carroll-Kelly BL

Members: Mr F. Moloney  
Mr C. Ryan

heard these appeals at Dublin on 10th August 2011.

#### **Representation:**

Appellants: Mr. Peter Leonard BL instructed by Mr. Blazej Nowak, Polish Consultancy Enterprise, 107 Amiens Street, Dublin 1

Respondent: Ms. Muireann McEnery, Peninsula Business Services (Ireland) Limited, Unit 3 Ground Floor, Block S, East Point Business Park, Dublin 3

The decision of the Tribunal was as follows:-

At the outset of the hearing the claims under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 were withdrawn.

## **Determination:**

### **Appellant No. 1**

The respondent conceded that a redundancy situation applied in this case.

The Tribunal finds that appellant no. 1 is entitled to a redundancy payment under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth:	9 <sup>th</sup> July 1981
Date of Commencement:	16 <sup>th</sup> April 2007
Date of Termination:	31 <sup>st</sup> October 2010
Non-reckonable service:	11 <sup>th</sup> December 2008 to 22 <sup>nd</sup> February 2009
Gross Weekly Wage:	€500.00

This award is subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

### **Appellant No. 2**

The respondent conceded that a redundancy situation applied in this case.

The Tribunal finds that appellant no. 2 is entitled to a redundancy payment under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth:	4 <sup>th</sup> May 1986
Date of Commencement:	23 <sup>rd</sup> January 2007
Date of Termination:	13 <sup>th</sup> September 2010
Non-reckonable service:	11 <sup>th</sup> December 2008 to 24 <sup>th</sup> March 2009 and 7 <sup>th</sup> December 2009 to 11 <sup>th</sup> April 2010
Gross Weekly Wage:	€500.00

This award is subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

### **Appellant No. 3**

The respondent conceded that a redundancy situation applied in this case.

The Tribunal finds that appellant no. 3 is entitled to a redundancy payment under the Redundancy Payments Acts 1967 to 2007 based on the following criteria:

Date of Birth:	17 <sup>th</sup> November 1979
Date of Commencement:	1 <sup>st</sup> May 2007
Date of Termination:	13 <sup>th</sup> September 2010
Non-reckonable service:	11 <sup>th</sup> December 2008 to 5 <sup>th</sup> January 2009 7 <sup>th</sup> December 2009 to 13 <sup>th</sup> June 2010
Gross Weekly Wage:	€500.00

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This award is subject to the appellant having been in employment, which is insurable for all purposes under the Social Welfare Consolidation Act 2005.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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