

## **EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:  
Employee

CASE NO.  
MN173/2006,WT95/2006

Against

Employer

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001  
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr M. Gilvarry

Members: Mr. D. Morrison  
Mr M. McGarry

heard this claim at Castlebar on 17th May 2007

### **Representation:**

Claimant : J J Gordon & Son, Solicitors, John St, Ballina, Co Mayo

Respondent : Tuohy & Co., Solicitors, 3 John Street, Ballina, Co. Mayo

The decision of the Tribunal was as follows:

The respondent conceded the minimum notice appeal at the outset of this hearing. The company had no records of the appellant's holiday entitlements. Evidence was adduced on the appellant's remuneration.

### **Appellant's Case**

The appellant stated that she received €550.00 weekly net wage. That figure was agreed with the managing director. The witness added that the "tax was looked after by the respondent". She said her annual salary was €39,000.00 and her outstanding leave entitlement was for two days.

### **Respondent's Case**

No evidence adduced

**Determination**

The Tribunal accepts the uncontested evidence of the appellant. Accordingly her appeals under the Minimum Notice and Terms of Employment Acts, 1973 to 2003 and the Organisation of Working Time Act, 1997 succeeds and she is awarded €750.00 and €300.00 respectively under those Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

