

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

Employee

MN693/2007

CASE NO.

against

Employer

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. P. McGrath B.L.

Members: Mr. F. Moloney
Mr. B. Byrne

heard this claim at Dublin on 4th January 2008

Representation:

Claimant: In person

Respondent: In person

The decision of the Tribunal was as follows:

Claimant's Case:

The claimant worked for the respondent from November 2006 until the 18 April 2007. The claimant told the Tribunal that he attended two meetings on the 18 April 2007. At the first meeting his manager told him that he had looked disinterested at a staff meeting the previous day. At the second meeting the manager and Mr. C from the company were present. The claimant was told, "let's just say it's not going to work out." Mr. C discussed the holidays owing to the claimant. The claimant was not provided with his notice.

Respondent's Case:

Mr. C told the Tribunal that the company was concerned, as the claimant seemed to be disinterested in his job. Mr. C told the Tribunal that only one meeting was held on the 18 April 2007 at which he, the claimant's manager and the claimant were present. They asked the claimant was he really committed to his job and the claimant replied "not really." The claimant's manager asked the claimant if he was trying to say the job was not working out. Mr. C discussed holiday monies owing with the claimant.

Determination:

The Tribunal find that a dismissal occurred at the meeting on the 18 April 2007. Accordingly, the Tribunal find that the claimant is entitled to be paid €420.00, which is the equivalent of one week's notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)