

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
Employee

CASE NO.
UD616/2006

against
Employer
under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. Clancy
Members: Mr G. Phelan
Dr. A. Clune

heard this claim at Limerick on 21st November 2007 and 28th February 2008

Representation:
Claimant:

Mr. Gerard Kennedy, Siptu, 4 Church Street, St. Johns Square, Limerick

Respondent:

Mr. Chris O'Donovan, IBEC Mid-West, Gardner House, Bank Place, Charlotte Quay, Limerick

The determination of the Tribunal was as follows:

The claimant has argued that he signed an agreement under extreme duress and without having sufficient mental capacity. The Tribunal has carefully considered the evidence submitted and, based on that evidence, the Tribunal determines that the applicant is precluded from pursuing these proceedings before the Tribunal by reason of his having signed a Discharge Form accepting certain payments in full discharge of all claims against the respondent. Notwithstanding these procedural issues, the Tribunal separately empathises with the applicant in what appears to have been a very difficult and fraught working relationship with the respondent and the termination thereof.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)