

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

Employee

CASE NO.

RP209/2007

UD499/2007

MN348/2007

against

Employer

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001
REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
UNFAIR DISMISSALS ACTS, 1977 TO 2001**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr. D. Morrison
Mr M. McGarry

heard this claim at Castlebar on 11th March 2008
and 23rd June 2008

Representation:

Claimant(s) : T. Dillon-Leetch & Sons, Solicitors, Ballyhaunis, Co. Mayo

Respondent(s) : Not present or represented

The determination of the Tribunal was as follows:-

Determination:

The parties had previously settled this claim on the amount of € 11,000 on March 11th 2008. On April 1st 2008 the company went into liquidation but by that stage the agreed sum had not been paid. The liquidator confirmed that he queried the directors of the company and reaffirmed that they believed the sum of € 11,000 “*was a fair and reasonable settlement*”. He added that he saw “*no basis for me to second guess the commercial decision made by the directors*”.

The Tribunal heard evidence from the claimant and made its determination under the Unfair Dismissals Acts, 1977 to 2001. In the Tribunal’s view it is “*just and equitable having regard to all the circumstances*” (Section 7 (1)(c)) to award the claimant compensation in the sum

of € 11,000.

The claims under the Minimum Notice and Terms of Employments Acts, 1973 to 2001 and the Redundancy Payments Acts, 1967 to 2003 were dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)