

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

Employee

- claimant

CASE NO.

MN545/2008

WT256/2008

Against

Employer

- respondent

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 J. Fahy BL

Members: Mr. J. Redmond  
Ms H. Henry

heard this claim at Galway on 6th February 2009

Representation:

\_\_\_\_\_

Claimants(s) : Mr Eric Gleeson, Gleeson & Kane, Solicitors, High Street,  
Tuam, Co Galway

Respondent(s) : Mr. Breffni O'Neill, Construction Industry Federation,  
Construction House, Canal Road, Dublin 6

The decision of the Tribunal was as follows:-

The claim before the Tribunal under the Minimum Notice and Terms of Employment Acts 1973 to 2001 was withdrawn at the commencement of the hearing.

### **Determination**

The Tribunal is satisfied having heard all the evidence that the claimant was not afforded his entitlement of ten consecutive days holidays in 2007. The Tribunal are further satisfied that the respondent failed to comply with the terms of the Registered Employment Agreement (Construction Industry Wages and Conditions of Employment) Variation Order relating to annual

leave and the Organisation of Working Time Act, 1997.

The Tribunal awards the claimant the sum of €717.50 under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

