

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
Employee

CASE NO.
- claimant
RP1196/2008
UD1376/2008
MN1302/2008

against
Employer - respondent

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 M. O'Connell B.L.

Members: Mr F. Cunneen
Mr. P. Woods

heard this claim at Dublin on 16th April 2009

Representation:

Claimant(s) : Mr. Blazej Nowak, Emigrant Advice Centre, 19 Talbot Street,
Dublin 1

Respondent(s) : No appearance by or on behalf of respondent

The decision of the Tribunal was as follows:-

Preliminary Point

The claim under the Unfair Dismissals Acts 1977 to 2001 was withdrawn on the day of the hearing.

Determination

The Tribunal notes that there were multiple breaks in the claimant's service throughout the period of two years and eight months of his association with the respondent. Specifically the Tribunal notes that a P45 was issued by the respondent on the 17 October 2006. The Tribunal is not persuaded that the claimant provided the respondent with written notice of intention to claim a redundancy payment as required under section 12 of the Redundancy Payments Act 1967.

Accordingly the claim under the Redundancy Payments Acts 1967 to 2003 fails.

The Tribunal was not given any credible evidence in support of the claimant's claim for relief under the Minimum Notice and Terms of Employment Acts 1973 to 2001. Accordingly this claim also fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

