

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE - claimant

CASE NO.
MN1459/2008

against

EMPLOYER - respondent

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. M. McAveety

Members: Mr. W. Power
Mr. P. McAleer

heard this claim in Cavan on 6 May 2009

Representation:

Claimants(s):
No attendance or representation

Respondent(s):
Mr. Andrew Pierce, Collane HR Solutions, 89 Main Street, Cavan, Co. Cavan

The decision of the Tribunal was as follows:-

The claimant claimed that she had commenced employment with the respondent on 14 October 2007, that she had worked as a deli assistant and had had her employment ended without any notice on 2 October 2008.

The respondent's defence was that the claimant had been paid for thirty-five hours in lieu of notice and that there were records to show this.

Giving sworn testimony at the Tribunal hearing, SB (the respondent's payroll administrator) gave evidence that the claimant had been entitled to one week's pay in lieu of notice and that this had been duly paid to the claimant as indicated on the respondent's payroll records.

No evidence was offered at the hearing by or on behalf of the claimant.

The respondent's representative stated that he wanted the claim struck out.

Determination:

On the uncontested evidence given on behalf of the respondent, the Tribunal has no alternative but to find that the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

