

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE *-appellant*

CASE NO.
MN1542/2009
WT21/2010

Against

EMPLOYER *-respondent*

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms M. McAveety

Members: Mr. D. Morrison
Ms. R. Kerrigan

heard this claim at Letterkenny on 19th January 2010

Representation:

Appellant: P.A. Dorrian & Co., Solicitors, Main Street, Buncrana, Co. Donegal

Respondent: In Person

The decision of the Tribunal was as follows:-

Appellant's Case

The appellant commenced employment on the 10th of June 2008 as a manager for the respondent working 40 hours per week up to 60 hours during the summer. The respondent closed its operation on the 3rd of March 2009; the appellant received his dismissal notice on this day. There was no Contract of Employment or Terms and Conditions of Employment issued to the appellant. The appellant took two annual leave days in 2008 and none in 2009.

Respondent's Case

The respondent does not dispute the appellant's evidence.

Determination

Based on the evidence adduced, loss having been established, the Tribunal awards the claimant €660.00 being the equivalent to one weeks' pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal also finds that the appellant is entitled to his statutory holiday entitlements under the Organisation of Working Time Act, 1997 therefore awards the appellant the sum of €1031.60.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)