

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE - *claimant*

CASE NO.
UD869/2009
RP974/2009

against
EMPLOYER - *respondent*

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms C. Gleeson B.L.

Members: Mr. M. Flood
Mr J. Flannery

heard this claim at Dublin on 11th March 2010

Representation:

Claimant(s) : Mr. Andrew Turner, Hamilton Turner, Solicitors,
66 Dame Street, Dublin 2

Respondent(s) : Mr. John Barry, Management Support Services (Ireland)
Limited, The Courtyard, Hill Street, Dublin 1

Preliminary Issue

At the commencement of the hearing the respondent's representative made a preliminary application on behalf of the respondent. He brought to the attention of the Tribunal the existence of a document signed by the claimant on 14 November, 2008 whereby the claimant accepted a payment in full and final settlement of all claims arising out of his employment with the respondent.

The Tribunal is satisfied that the independent advice received by the claimant in the time period before 14 November, 2008 was adequate in all the circumstances. The document signed on 14 November, 2008 was clear and unambiguous and the words inserted "*without prejudice to any rights that I may have*" do not negate the content of the document which the claimant clearly signed.

Determination

Accordingly the Tribunal determines that the claims under the Redundancy Payments Acts 1967 to 2007 and the Unfair Dismissals Acts 1977 to 2007 fail.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

