

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM(S) OF:**  
EMPLOYEE

**CASE NO.**  
MN1620/2009  
WT694/2009

*- claimant*

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: Mr. P. O'Leary B L

Members: Ms J. Winters  
Mr O. Nulty

heard this claim at Monaghan on 7th May 2010

**Representation:**

Claimants(s) : Mr Adrian Kelly, A.B. O'Reilly, Dolan & Co., Solicitors, 27 Bridge Street,  
Cootehill, Co Cavan

Respondent(s) : Mr. Seamus Clarke BL instructed by:  
XXXXXX

The decision of the Tribunal was as follows:-

At the outset the claim under the Organisation of Working Time Act, 1997 was withdrawn.

**Background:**

The claimant took a claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 to the Employment Appeals Tribunal. However it transpired at the hearing that the claim the claimant had was an Industrial Relations issue and had previously been taken before the Rights Commissioners.

**Determination:**

Having heard the submissions made by both parties the Tribunal finds it has no jurisdiction to hear the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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