

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM(S) OF:**  
EMPLOYEE

*- claimant*

**CASE NO.**  
RP180/2010  
UD127/2010  
MN132/2010  
WT75/2010

against  
EMPLOYER

*- respondent*

EMPLOYER

*- respondent*

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005**  
**ORGANISATION OF WORKING TIME ACT, 1997**  
**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**  
**UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. M. Levey B.L.

Members: Mr J. Horan  
Mr A. Butler

heard this claim at Dublin on 3rd May 2011

**Representation:**

Claimant(s) :Ms. Eileen Molloy BL instructed by:  
Muldowney Counihan & Co, Solicitors, 3 Clon Court, Main Street, Clonee, Dublin 15

Respondent(s) : Not Present or Represented

The determination of the Tribunal was as follows:-

At the outset the claims under the Organisation of Working Time Act, 1997 was withdrawn. The claimant had previously received a payment under the Redundancy Payments Acts

**Determination:**

Having heard the uncontested evidence of the claimant in this case the Tribunal determined that compensation to be the most appropriate remedy and accordingly the Tribunal awards the sum of € 49,360.00 under the Unfair Dismissals Acts, 1977 to 2007. This sum being over and above the sum of € 11,292 the claimant has received as a redundancy payment under the Redundancy

ayments Acts, 1967 to 2007.

Claims under the Unfair Dismissals Acts, 1977 to 2007 and the Redundancy Payments Acts, 1967 to 2007 are mutually exclusive. As the claim under the Unfair Dismissals Acts, 1977 to 2007 succeeds, the claim under the Redundancy Payments Acts, 1967 to 2007 fails.

Loss having been established the Tribunal awards the sum of € 1,520.00, this being two weeks gross wages, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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