

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:  
EMPLOYEE

*-claimant*

CASE NO.  
UD2248/2009  
MN2087/2009  
WT948/2009

Against

EMPLOYER

*-respondent*

Under

### UNFAIR DISMISSALS ACTS, 1977 TO 2007 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 N. Russell

Members: Mr J. Hennessy  
Mr F. Dorgan

heard this claim at Clonmel on 21st March 2011

#### **Representation:**

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Claimant: Mr David Barry, Joyce & Barry, Solicitors, John Street, Cashel, Co Tipperary

Respondent: No appearance or representation on behalf of

#### **Claimant's Case**

The claimant commenced employment on the 1<sup>st</sup> of September 2007. His employment continued normally until he received a letter on the 20<sup>th</sup> of January 2009 notifying him that his working hours were being reduced. The claimant continued to work until May 2009. The claimant's final payslip is dated the 11<sup>th</sup> of May 2009. The claimant contacted the respondent on numerous occasions requesting additional working hours but received no satisfactory response. The claimant's representative made further inquiries as to the status of the claimant's employment but received no response except for a P45 in the post. The claimant outlined the holiday and bank holiday entitlements he did not receive.

#### **Determination**

The Tribunal find that the claim under the Unfair Dismissals Acts, 1977 to 2007 succeeds and awards the claimant €13,500.00 as compensation.

The Tribunal award the claimant €563.04 being the equivalent to one weeks pay in lieu of notice

under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal find that the claim under the Organisation of Working Time Act, 1997 succeeds and awards the claimant €901.00 being the equivalent to 8 days holiday entitlement.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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