

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:  
EMPLOYEE

*-Claimant*

CASE NO.

MN771/2010

against  
EMPLOYER

*-Respondent*

under

### MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. O'Leary B L

Members: Mr. J. Reid  
Mr. G. Whyte

heard this claim at Dublin on 19th July 2011

#### **Representation:**

Claimant:

Respondent: In Person

#### **The decision of the Tribunal was as follows:**

Due to a downturn in the respondent's business the claimant's employment terminated by reason of redundancy on 4<sup>th</sup> December 2009. The claimant had commenced his employment on 12<sup>th</sup> June 2006 and therefore his entitlement under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, was two weeks notice.

It was the respondent's case that the claimant was given verbal notice of the termination of his employment some four or six weeks prior to the date of termination. In addition the claimant was given the relevant notice in the presence of the store manager on 20<sup>th</sup> November 2009. The Store Manager confirmed that the claimant was given notice but could not recall the exact date that notice was given to him but she stated that there had been many discussions regarding the downturn in business.

It was the claimant's case that he was provided with only one week's notice of the termination of his employment having been informed of this on 27<sup>th</sup> November 2009. The claimant refuted that verbal notice was given to him on 20<sup>th</sup> November 2009, stating that he was on annual leave and away from Dublin at that time. A payslip showing holiday pay for the period outlined by the claimant was submitted to the Tribunal.

**Determination:**

The Tribunal is satisfied from the verbal and documentary evidence adduced that the claimant is entitled to the sum of €400.00 (being the equivalent of one week's gross pay) under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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