

EMPLOYMENT APPEALS TRIBUNAL

Correcting Order

CLAIM OF:
EMPLOYEE

- *Appellant*

Against

EMPLOYER

- *Respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
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 5th September 2011 and 21st November 2011

Representation:

Claimant: Eamonn Green & Co, Solicitors, 19 Clanwilliam Square, Dublin 2

Respondent: Mr David Bell, The HR Department, 126 Ranelagh, Dublin 6
Wendy Doyle, Solicitors, 20 Lower Baggot Street, Dublin 2

This order is to amend the order dated 23rd January 2012 in this matter and should be read in conjunction with that order.

The Tribunal inadvertently made an order re-engaging the claimant. The contract of employment of the claimant contained a clause in relation to retirement containing a requirement that he retire at 65 years of age. Therefore, it was not possible to order re-engagement.

The Tribunal have given consideration to this fact and have now determined that the correct remedy in the circumstances should be compensation. Taking into consideration that the claimant contributed substantially to his dismissal the Tribunal deem that the claimant be awarded the sum of €10,000 compensation under the Unfair Dismissals Acts 1977 to 2007. This figure is inclusive of his entitlement under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)