

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

EMPLOYEE

- Claimant

CASE NO.

UD1710/2010

Against

- EMPLOYER
- Respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr T. Taaffe

Members: Mr D. Moore
Mr N. Dowling

heard this claim at Naas on 8th March 2012

Representation:

Claimant: In Person

Respondent: Mr. Brendan McDonald, Coughlan White, Solicitors, Moorefield Road, Newbridge,
Co Kildare

The determination of the Tribunal was as follows:-

At the outset of the hearing it was established that the claimant is still employed by the respondent company. The claimant told the Tribunal that he was employed under two separate contracts, one of which had ceased. The respondent explained that the claimant is deployed as needed to carry out work for third parties, clients of the respondent, but his contract of employment is with the respondent and he continues to be employed by the respondent.

Determination

The Tribunal carefully considered the evidence adduced and the submissions made and is a) satisfied that the relationship of employer and employee still exists between the parties, and b) that the Tribunal has therefore no jurisdiction to hear the claim and therefore dismisses the claim under

the unfair Dismissals Acts 1977 to 2007.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)