

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

UD598/2011

- Claimant

Against

EMPLOYER

- Respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr N. Russell

Members: Mr M. Noone
Mr F. Dorgan

heard this claim at Carlow on 6th June 2012.

Representation:

Claimant: In person

Respondent In person

The determination of the Tribunal was as follows:-

Determination:

Section 2 of the Unfair Dismissals Act 1977 provides that the Act does not apply to an employee who, at his date of dismissal, has less than one year's continuous service with his employer unless he can bring himself within one of the specified Section 6 Categories. The Claimant does not fall into one of these categories.

The Claimant was on a Work Placement Scheme with the Respondent until March 2010. In March 2010 he was taken on as an employee at which point his continuity of service began for the purposes of the Unfair Dismissals Legislation. In the event, the Claimant's employment concluded in June 2010 before he had achieved the one year's continuity of service required by the Unfair Dismissals Legislation.

Accordingly, the Tribunal has no jurisdiction to hear the Claimant's grievance as the Unfair Dismissals Act 1977 (as amended) does not apply to the Claimant's employment.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)