

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE - *claimant*

CASE NO.
UD2335/2010

against
EMPLOYER - respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms C. Egan B.L.
Members: Mr. W. O'Carroll
Ms H. Henry

heard this claim at Galway on 28th May 2012

Representation:

Claimant(s) : Mr. Alistair Purdy, Purdy Fitzgerald, Solicitors, Kiltartan House, Forster Street, Galway

Respondent(s) : Mr. Tim O'Connell, IBEC, Confederation House, 84/86 Lower Baggot Street, Dublin 2

Preliminary Issue

The respondent's representative submitted that the Tribunal did not have jurisdiction to hear the case as the claimant had accepted a considerable ex-gratia payment and signed a detailed waiver document in full and final settlement of all claims arising out of his employment with the respondent company. In sworn evidence the claimant stated that he had received legal advice prior to signing the document. Therefore, as the Tribunal is satisfied that the claimant had the benefit of legal advice prior to signing the document the Tribunal finds that it does not have jurisdiction to hear the case.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

