

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE
- *appellant*

CASE NO.
MN1632/2011

RP2088/2011

against
EMPLOYER
- *respondent*

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr N. Russell
Members: Mr J. Hennessy
Mr F. Dorgan

heard this appeal at Clonmel on 16th October 2012

Representation:

Appellant(s) : In Person (not legally represented)

Respondent(s) : Sweeney McGann, Solicitors, 67 O'Connell Street, Limerick

Determination

The appellant worked initially as a salesman and subsequently as a carpet fitter for the respondent company which operates a retail furniture business. In total the appellant worked for the respondent company for almost 5 years until the termination of his employment in July 2010. There was a dispute between the parties as to whether the claimant was dismissed for misconduct or by reason of redundancy. On the basis of the evidence adduced the Tribunal finds that a genuine redundancy situation did not exist and the claims under the Redundancy Payments Acts 1967 to 2007 and the Minimum Notice and Terms of Employment Acts 1973 to 2005 fail and are hereby dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)