

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

EMPLOYEE

- *Claimant*

CASE NO.

MN310/2011

Against

EMPLOYER

- *Respondent*

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr M. Carr

Mr P. Trehy

heard this claim at Trim on 17th October 2012

Representation:

Claimant: In Person

Respondent: In Person

The decision of the Tribunal was as follows:-

The Tribunal heard sworn evidence from both parties. The parties agreed that the claimant was made redundant by the respondent company and received his statutory redundancy payment. However, there was no agreement in respect of whether the claimant requested to be made redundant or the company made the decision. The claimant had been on a period of short time work, week on week off, since September 2009.

The claimant told the Tribunal that on the 25th June 2010 the respondent informed him that he was no longer on the books since the previous week, 18th June 2010. The claimant maintained that he did not receive notice of his redundancy or payment in lieu of his notice entitlement. The respondent maintained that the claimant was aware that a redundancy situation was probable as they had discussed the situation on numerous occasions. The claimant denied this.

Determination

There was conflicting evidence from both parties at the hearing of the above case. The Tribunal finds that the claimant did not receive his statutory entitlement to minimum notice at the time of

his dismissal from the respondent company. Accordingly, the Tribunal awards the claimant €3,107.96, four weeks pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)