

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

EMPLOYEE - appellant

CASE NO.

MN614/2011
RP796/2011

Against

EMPLOYER - respondent
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. T. Ryan

Members: Mr F. Moloney
Ms. N. Greene

heard this appeal at Naas on 12th October 2012 and 23rd January 2013.

Representation:

Appellant: In person

Respondent: In person

The decision of the Tribunal was as follows:-

Determination:

At the outset of the hearing the claimant withdrew his claim under the Redundancy Payments Acts, 1967 to 2007 and stated that he had received his redundancy entitlement. He had requested his redundancy payment from the respondent as he had been on short time.

Based on the fact that the claimant had requested and received his redundancy payment from his employer due to being on short time he is deemed to have voluntarily left his employment and therefore is not entitled to notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The claim under the Minimum Notice Terms and Employment Acts, 1973 to 2005 fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)