

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
Employee

CASE NO.
RP37/2007
MN73/2007

Against

2 Employers

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001 REDUNDANCY PAYMENTS ACTS, 1967 TO 2003

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr P. Pierce
Ms M. Maher

heard this appeal at Dublin on 14th June 2007

Representation:

Appellant:

Mr Charles Prizeman, T.E.E.U., 5 Cavendish Row, Dublin 1

Respondents:

Mr Breffni O'Neill, CIF, Construction House, Canal Road, Dublin 6

The decision of the Tribunal was as follows:

Determination

The claimant was employed by the respondent from the 20th August 2003. On Friday 8th September 2006 the respondent wrote to the claimant giving him one week's notice from that date. The respondent claimed that the claimant was also informed verbally on 8th September 2006 that he was getting one week's notice. The claimant disputed this. The claimant went on planned holidays from 11th September 2006 and did not return to work as he received the letter on his return from holidays. In his final pay cheque the claimant received holiday pay and pay for one back week due to him. Pay in lieu of notice was not paid. The respondent had expected the claimant to work out a notice week on his return from holidays. The respondent agreed that the letter of 8th September 2006 should have said that notice was being given from 22nd September 2006 rather than 8th September 2006.

The Tribunal awards the claimant €1,993.62, being the sum of two week's pay in lieu of notice, under the Minimum Notice And Terms Of Employment Acts, 1973 to 2001.

The claim under the Redundancy Payments Acts, 1967 to 2003 was adjourned generally with four weeks liberty to re-enter.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

