

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM OF:

CASE NO.

EMPLOYEE

UD347/2011, MN336/2011

WT106/2011

against

EMPLOYER

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005**

**ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J. Sheedy

Members: Mr J. Browne  
Mr D. McEvoy

heard this claim at Cork on 20th April 2012

**Representation:**

Claimant : Mr Florence Murphy, O'Donovan Murphy & Partners, Solicitors,  
The Quay, Bantry, Co Cork

Respondent : Mr. David Gaffney, Coakley Moloney, Solicitors, 49 South Mall, Cork

The respondent applied to the Tribunal at the outset of this hearing to find that the claimant's entire case be dismissed on the grounds that it is a frivolous and vexatious claim.

The determination of the Tribunal was as follows:

Having heard and carefully considered the submissions and evidence on this preliminary issue the Tribunal is satisfied that the claimant's case is not a frivolous and vexatious claim. A substantive hearing under all the above Acts can now proceed.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)

