

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIMS OF  
Employee

CASE NO.  
UD971/2005

against

Employer

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. C. Egan BL  
Members: Mr. D. Morrison  
              Mr. G. Hunter

heard this claim in Letterkenny on 28 March 2006 and 6-7 July 2006 and 21-23 November 2006

Representation:

Claimant:

Ms. Fiona Crawford BL instructed by  
Ms. Mura Browne, Browne & Co., Solicitors,  
Huntley House, Pearse Road, Letterkenny, Co. Donegal

Respondent:

Mr. Alex White BL instructed by  
Sara Carpendale solicitor and Christine Kane solicitor, Arthur Cox, Solicitors,  
Arthur Cox Building, Earlsfort Terrace, Dublin 2

The determination of the Tribunal was as follows:

**Claimant's Case:**

The claimant (hereafter referred to as C) commenced employment with the respondent (hereafter referred to as R) in May 2001. She resigned around May 2005.

Giving evidence on the first day of hearing, C said that she was now thirty-four years of age and

that she had started working at the age of sixteen. She had left school early and had started to work for a large company with which she stayed for twelve years. She had subsequently worked for a couple of other employers. She then went to work for R “because the money was better”.

C’s job with R was in a new store. The employees did marketing and filled shelves. This was May 2001. The majority of the staff were employed before C. She started two or three weeks later. C was a sales assistant. She could be in any department setting it up. She thought that the store opened on 21 May 2001 but was not sure of the date. The atmosphere was great. It was like a warehouse. Everyone worked hard. They were busy with the opening of the store. They started at eight in the morning and worked till ten at night to get it open.

Asked what had caused a change, C replied that September or October of that year had seen the arrival of a new store manageress (hereafter referred to as M). M subsequently started to pick on people. From January or February 2002 M would have tantrums if one did not go to break on time. There were about thirty people employed there. There had been no specific manager at first. They got various managers from other stores.

People were afraid to be friends or to get on with each other. C’s first incident was around January or February of 2002. Then they tried to keep socialising secret. M said that she wanted C and other employees and their partners to stop going out together outside working hours. At some stages M would say that another employee (hereafter referred to as E) was talking about C behind C’s back and that E said that C had an easy job and that she (M) would take C’s department from her and give it to E to shut E up. One could be moved around the sections.

In spring 2002 the situation got worse name calling started. Words like flirt and floozy were used. C was known as the blonde bimbo. M called her these names. No one else did. C did not like it. M called her “Mrs. Bouquet” on the tannoy. The first time, C thought it was funny but it “kept on”. To C the name “Mrs. Bouquet” signified a fussy old woman.

In one incident C was helping an old man when M shouted out on the tannoy that C was a flirt. Customers were there.

C told the Tribunal that she was a very competent person, that she had taken a lot of pride in her job and that she was possibly “over the top”. She had wanted everything to look good but started to lose interest in her job. She was not given time to do it. She would get stock half-merchandised and M would call her away. A week later M might say that something was not priced right. C never knew what to expect. One day she could be M’s best friend and another day not. M just picked on somebody every day.

One Sunday night, C was rostered for tea break with a senior member of staff. When they came back M said she wanted to speak to C. This happened in front of other staff. No members of the public were there at the time. C had not had a problem before that. Others had had a problem with M.

The following Wednesday, C went to M to ask what she had done wrong. She had not been shouted at like that before. She was particular about her work. She asked what she had done. M said that C had had no right to go on break with a senior member of staff and that M had been looking for him. C said that on the rota M had put C and the senior member of staff on break together.

M said to C that she (M) did not understand why staff went out together at weekends. C and the

others were all good friends. M said that C had no friends in the store and that the girls (especially the aforementioned E) were all laughing at C behind C's back. M said that, if C spoke about this, M would deal with her later. Therefore, according to M, C was not allowed to ask the others about this. C did not speak to them but believed M. C did not know whom she could trust. E and the aforementioned senior member of staff asked C what was wrong. She told them. She was afraid. They said it was not true.

C approached an assistant manager (hereafter referred to as AM). She thought this was summer 2003. The store had summer stock at the time. C asked AM to do something about M because C could not listen to any more. M shouted so loud that at times C could not understand what M was saying. C complained to AM about M's shouting and name-calling. It was very embarrassing in front of customers. One felt as if M was calling a dog. AM said that he would have a word with M.

The next day, C was called to the office. M asked her if she had a problem. C said that she did in that the way M shouted at her was unprofessional. M said that this was how it was going to be. M did not take it as a complaint. The situation just stayed the same. M said that she was the boss and that C knew what she (C) could do if she did not like it.

C saw a mystery shopper report. M wrote on it that "big fatso" had let R down.

C had signed an employment contract. AM told her to sign it and that she could read it later. He did not sit her down with it. He said to read it on her own time. He did not explain anything about company policy if she had a problem. He did not even make eye contact.

Asked at the Tribunal hearing about grievance procedure, C replied that it was in the handbook but that one was too afraid to do anything. She was not told that she could use it. M did not refer to it when C spoke to her.

C told the Tribunal that some weeks she was M's "best buddy" and that other weeks C "would be walking on eggshells". One never knew from one day to the next how it would be. C's "heart went out" to others when M treated them badly.

Asked if she had had personal difficulties in 2004, C said that her mother had had an extremely serious road accident and that C had taken two weeks of her paid holidays because C needed the money. She had not been aware of force majeure leave. She had only been told about "holiday leave". It was in the handbook. She had never read the handbook. She did not think that she had been asked if she had questions about the handbook. She filled out a force majeure form. Her mother was due out on a Friday. C could not spell the names of some of the bones injured. She got help with this and gave the form to AM. She was "over the moon" that her mother was all right.

On the Friday C was called to the office. M said that she had heard that C was getting the weekend off. C said that she could not wait to get her mother home. M said that C could not have the weekend off because M had no staff. On Monday C had given the form to AM. M said that C's father could cope. C said that her father was sixty-eight. Her mother would need lifting.

M said that C had two sisters who could work with C's mother. C said that one sister lived in London and that the other sister had a toddler as well as being heavily pregnant. M said that she (M) could get C's London-based sister a cheap flight home if that was all that the problem was.

C pointed out to M her need to be with her family that weekend to do these things personally. M

said that she could not tell C not to take the said days off but that, if C did take them, M would deal with this on C's return. C started to cry. C thought that M would dismiss her or would start disciplinary action against her. M had threatened that before. It was always M who threatened. The majority of the time AM was there as well but he never really spoke a lot. After crying C got up and left.

C took the weekend off and came back on the following Wednesday. C tried to get the head of personnel (hereafter referred to as P) on the phone three or four times. C could not get P. C was afraid for her job. She had two young children and she was building a house. She was afraid because she had taken the weekend off. She had never got a warning in any job.

C asked for her area manager's phone number. In a message she asked him to contact her at home. He rang C, said he was aware of the problem, would speak to M and would get back to C. About an hour or an hour-and-a-half later, he rang C and asked her in to meet him and M and AM. C told him that she was afraid that M would bully her. C told the area manager that, if she felt the need for him to be there, she would ring him. This was May or June. C's mother had got out in late May.

C went in and met M and AM. M said that she (M) looked at the business side of things and not at the personnel side of things. M said that she (M) had been wrong in what she had done but that she looked at it from the business side. M said that C, by taking the time off, had been selfish towards her teammates. C replied that she had been selfish in that she had wanted to be with her family. M asked C why C was not in uniform. C said that this was one of the days she had asked to have off. M then said that it was not force majeure leave but should have been carer's leave. M asked C to fill in a force majeure form for 24 February (the date of the accident) and to backdate it to February. This was the first time that the difference between carer's leave and force majeure leave had been explained to C.

The next day, C went back to work. First, there was no shouting at her. Gradually, she was being left out of conversations. M was just shrugging her off. Name-calling started again. It just gradually came back. This was September/October. The store was on to Xmas stock. Again C was coming to work not knowing what would happen.

In December 2004 C was on tills. She saw a man chatting to the security manager "for ages". The shop was very busy due to Xmas. The man came to C's till with a toolbox and a tape measure. He was a customer. C opened the toolbox and found "stuff" in it. C asked if he wanted it. The man laughed and said that he supposed so. C scanned all of the items (including the tape measure) and pressed the total button.

At that point, the security manager and M came round the corner. The security manager shouted: "Go on, you stupid f\*\*\*\*\* b\*\*\*\*\*!" M shouted: "You stupid b\*\*\*\*\*! You're the longest member of staff here and you did it wrong." Then, C stood up and asked what she had done wrong because she did not know. They pointed out that they had switched the packaging to a dearer tape measure. They had been doing a spot check on C. C thought the difference was three euro. They had taken the cardboard of a cheaper tape measure and the store was losing three euro. C was "not 100 per cent sure" that the difference was three euro. There was a queue of customers at C's till. The customers started to laugh at C. This was 19 December. The store was very busy. The three of them (M, the spot check customer and the security manager) went to the customer service desk.

Later that day on her tea break, C went to M's office to talk to her about this. She told M that she felt very intimidated and embarrassed. M shrugged it off, said that the only thing wrong was that C

had done it wrong and said that she would carry out spot checks with all members of staff. C replied that she did not think it was in the company handbook that M could pick a customer and do that while the store was open. M said that the said customer was a retired Garda sergeant and a respectable man. C said that that this was how she felt.

Asked at the Tribunal hearing if there had been any allegation that her work had been below standard or that she was being monitored, C said: "No." C told the Tribunal that M had said that all that was wrong with C was that C was a perfectionist and that this was why C had been annoyed not to have passed M's test. M then said that she would do spot checks with everybody. Subsequently, C neither had any further spot check done on her nor heard of it being done to anyone else.

Asked about November 2004, C said that she suffered tension headaches, which her doctor said were due to stress. She woke up one day with a severe tension headache and rang R (the respondent) to say that she did not think she would be at work. She thought it was the following week that her elder son and her mother had a stomach bug and were vomiting. C rang R and said that she could not make it in to work that day.

On Thursdays C always worked from noon to 9.00 p.m. She had a tension headache on a Thursday morning. She rang R at about 9.25 a.m. and explained why she might be late for work. With the tension headache one had to go into a dark room. At about 1.10 p.m. she rang M to say that she was on her way in. M said not to bother going in. C took the day.

The next week, C was called into the office. M and AM were there. M said that C had the worst attendance record in the store bar one person (the senior member of staff with whom C had gone on break and thus incurred M's displeasure). M asked C to sign a part-time contract and give up her full-time one.

There were about thirty employees when C started. There was a mixture of full-time and part-time people. In C's area everyone was part-time bar C. They did full-time hours when busy and part-time hours when not busy. Asked at the Tribunal hearing what her reaction had been to M's request, C said that she had thought that M wanted to be rid of all full-time staff. Regarding three days off, C told M that one had been carer's leave and one had been when C would have been an hour late but M had told her to take the day off. C did not sign the part-time contract. M said that if C's attitude did not improve M would start disciplinary procedures. M gave C no warnings.

On one other day that year C and a colleague were coming back from a tea break when M said that C's till was down forty euro from the previous day. C was really shocked. M said that she would start disciplinary action against C. This was in the summer of that year. The next day, C went to M. C was concerned. C wanted to know if the forty-euro had been found or if C would get a warning. M had introduced a situation that if one were up or down ten euro one would be disciplined. Then she brought it down to five euro.

The next day, M told C that C had been very lucky in that the bank had phoned to say that it had been give forty euro that had not been lodged properly. C said that this was the fault of the girl in the administration office who had counted it. C asked M if she would discipline the girl. M told C not to be "such a b\*\*\*\*" and that M would tell the girl what C had said.

Regarding the tills, M always borrowed money from the till especially if one was on customer service. M would borrow money to get her lunch. If C was down money M would say that she did not take it.

Around lunchtime C's sister came in with two children. The sister was buying wallpaper and asked for help in picking it. C told her to go away and that she (C) did not want to be seen talking to someone because she was not allowed to do so. If C helped a customer that she did not know if she would be accused of being a flirt. About ten or fifteen minutes later, C's sister had wallpaper everywhere including in a pram. C gave a hand. When C's sister got to the till M squealed at her what did she think she was doing. C said that she was helping her sister to the till. M sent her down the floor to do a bit of work. C went back down the floor.

C met her sister for lunch and went back to work. M was in the canteen with another staff member. M kept staring at C. She made C feel very uncomfortable. C went to the toilet and stayed there for the last part of her break.

At about 5.10 p.m. that day AM asked C into the office. C, AM and M were there. M said that one price label was missing from one of the two departments that C ran, that AM had asked C to fill shelves and that C had not been able to do the job. The previous week, a representative had come in with new stock. C had asked to price it. M said that C was nothing but a flirt and that she (M) would get the person in charge of pricing to do it. C did not think that she (C) had to check it.

M spoke to C about the shelves not being stocked properly. C replied that M had moved her to customer services. One could not leave customer service. M said that C was using customer service as an excuse for not doing jobs around the shop floor.

That day, M asked C why she was still there and why she had not left. C replied that she liked her job and M said that she was advising C to start looking for another job. M said that, because C was not doing her job properly and because of that price label issue, she was moving C from the paint department to a bigger department i.e. homewares. M asked C if she thought she could cope with running homewares. C replied that she had run it before and had run it very well.

C told M that M intimidated C. C had taken an anxiety attack. M just smiled. M seemed pleased that she intimidated C. C's employment ended at the end of May 2005. She went to the doctor the next day and said that she could not listen to name calling and verbal abuse any longer. She was out until she gave in her notice. The resignation note was sent to head office.

In the second month that C had been off the phone rang and someone asked to speak to her. C realised that it was M. M asked what C was doing sending sick lines to head office. C replied that she did not want to speak to M. M shouted that C would have to speak to her because M was her boss. M asked if C would speak to AM. C replied that she would not and that she would speak to someone in head office. C said that she was going to hang up, said goodbye and hung up.

P (the aforementioned head of personnel) rang from head office a few days later and asked to meet C in a hotel in Letterkenny. This was probably February of that year. C met P and told her why she was off work. C told P about the name calling, shouting and bullying. P said that she would get back to C. Subsequently, P got back to C by phone and said that M was very shocked at what C had told P. C replied that she was shocked that M was shocked. P asked C to meet M. C said that she

could not do it, that she did not feel mentally strong enough and that she did not want to take it any more although, at the same time, she did not want to lose her job.

A few weeks later, C got a letter from head office asking her to attend the company doctor. On 15 March C did so. P rang and said that she had got the medical report. C never got a copy. P said that the doctor agreed with C's own doctor and that C had to come back and sort things out with M or leave. C said that she still wanted her job. C was phoned "constantly every week". Sometimes C was not there and C's mother took the call. C could not face going back. She thought that she would be "really picked on". Her family advised her to hand in her notice. She did so by letter to head office. She thanked P for taking time out. This was towards the end of May 2005.

The Tribunal heard evidence from the claimant's sister. She told the Tribunal about the incident when she visited the shop. Her sister had insisted that she could not speak to her. Then M shouted at her sister she was not using the tannoy she shouted, "what do you think you are doing, go and do some work". She asked her sister why was she putting up with that treatment and her reply was that she needed the money.

Regarding a discount she did not ask her sister for a discount. She did not get a discount. Regarding her sister working in the public house that she and her husband own her sister had only worked there "for a couple of nights she helped out when we (were) stuck". She clarified in cross-examination that her sister had only worked in the public house three times in last eleven years. She agreed that the incident she described was the only incident she witnessed and that her sister had recounted all others to her.

The Tribunal heard evidence from aforementioned employee (E). She explained that she started in May 2001 and everyone seemed happy. A new manageress (M) arrived and there was conflict between herself and the new manageress. Every week she received a warning for poor performance and one of these was because she was €9 short in her till. She thought this peculiar because she thought that they were allowed to be short up to €10.00. She was not happy about this and she appealed to head office HR (P) and he sided with the company. He was not with the company now. A week after this she got a warning letter because she was one minute late. She received a warning letter the week after because her "pricing was not up to scratch".

When asked to explain if her and the claimant's work was the same she explained that they all had different departments but also covered the tills and everyone worked as a team.

M called her things, "You are a smart cookie" and also "Who are you flirting with today". She was at a meeting with M and AM and M asked her why she was still working there and why was she not looking for a job. She told M that she would leave when she wanted to leave and that she could get a job tomorrow with her boyfriend. M told her "how sad is that working with your boyfriend". She told M that she did not think that she could speak to her like that an M said, "You are a smart cookie". After that she was "branded" smart cookies or Ms Diana (Former HRH Diana RIP). M shouted over the tannoy.

Around the time of the Christmas party the witness was on sick leave at one time and was due to return on a Monday. She had paid for her Christmas party and was going to go to it. M phoned her on a Friday before the party and told her not to go to the party. She told her that she would be going to the party as she had paid her monies. She like all other staff going to the party had paid €1.00 per week. M told her that she was out sick and she told M that her sick leave ended on that day. She was ignored by management at the party.

She returned to work and her situation deteriorated. She had a department to look after and she was put in a different area. She was placed on the tills for "Eight hours". The management did not speak to her unless they had to. She was taken back off the tills and things improved. At one time M told her and C to "Watch your jobs".

### **Respondent's case:**

The Tribunal heard evidence from the store manageress (M). She began working in the Respondent store twelve weeks after it had opened. She had previously worked for eighteen years in other areas and had managed staff. It was her first time in retail management. She went to the head office for three weeks training. Also over a twelve-week period she trained the staff of the store.

She told the Tribunal that she got on "Fine" with the claimant and had "No issues" with the claimant. It was totally untrue that she picked on people and there was absolutely no sense that she would pick on people. She never had any complaint that she picked on staff. She herself did not draft the staff rota. Regarding tea breaks it was the duty of the customer service desk to organise the tea breaks and this was done early in the day. She had no involvement in the tea break rota. She never altered the rota for breaks. There was no rule that the staff could not be on a break with senior managers. She herself went on breaks with staff and on numerous occasions she went on a break with the claimant. The claimant's evidence that people were afraid to be friends was totally untrue because the more people got on they would work better. She herself got on with people and most of the time the atmosphere was good.

She never shouted at the claimant. No one ever complained to her that she shouted or was aggressive in manner or speech. She never complained to the claimant about who she socialised with. She herself socialised with the claimant at birthday events, retirement events, Christmas parties and girls night out.

It was company policy that if managers met with staff there had to have another manager present. She never told the claimant that E was laughing behind her back. She never called the claimant a flirt, a floozy, or a bimbo.

When put to her about someone overhearing her calling the claimant a blonde bimbo the witness stated, "Definitely didn't happen, I never name called as a manager for twenty years, it's schoolyard stuff, don't know why the claimant is saying this". No one ever came to her to complain that she was calling the claimant names. If there was a complaint to be made about her the HR team arrived into the store every three months for one full day and any of the staff could visit them and communicate with them. She herself would not be present. Before the HR team visited it was indicated on the staff notice board one week prior to their visit.

Regarding the claimant's evidence that she was moved from section to section the witness explained that it was company policy to do this. It was for the employees benefit and the company's and the employees developed new skills. The employees were told in advance and they had an opportunity to discuss the move.

She did not call the claimant "Mrs Bouquet". She never used that description and never heard any complaint about it. She did not accuse the claimant of being a "flirt" or a "floozy" or a "blonde bimbo". These allegations were "totally untrue". Regarding shouting over the public announcement system: this was located at the customer service desk and she was never rostered to



work on that desk. She accepted that she was slightly louder than most people. She never once received a complaint of misuse of the PA system. Her colleagues did not complain of her misuse of the PA system. The claimant never approached her about her shouting.

The witness was asked about the time that the claimant's mother was ill. She was on her day off and the following day she arrived into work. She phoned the claimant's home number and there was no answer. Eventually she spoke to the claimant and sent her flowers. She spoke to the claimant a number of times and told her to take as much time off as necessary. The claimant asked for three weeks and she was given three weeks off. She told the claimant that if she needed more time off she could take more time. The company policy allowed for twelve weeks. The claimant told her that she needed to return to work. She did not threaten the claimant to return to work nor threaten to take disciplinary action or dismiss her if she did not return to work.

Regarding the spot check incident she did not know in advance that it was going to happen nor did she discuss the matter in advance. She did not know that the person was an off-duty Garda. The claimant told her that she was unhappy that it was an outside person that did the spot check. There was never a plan to institute a spot check through non-managers and it never happened again.

The witness explained that the company had no problem with the claimant's attendance record. She recalled an occasion whereby the claimant proposed to take a weekend off. On a Thursday or Friday she told her that her sister was arriving from England. The staff told her that the claimant was not working on the weekend. She checked the rota and noticed that the claimant was put down to work the weekend. The claimant later told her that she could not work the weekend because she had no one to care for her mother. She asked the claimant if she could not swap and the claimant told her that she "really can't work" the weekend. She told the claimant that she would not authorise that she could take the weekend off. The claimant told her that she was taking the weekend off. She told the claimant that it was her choice and that they would discuss it at a later time, "when you get back if you take the weekend off". She did not think that the claimant would take the weekend off but she did. Before the claimant returned she phoned the operations manager (OM). He told her that the claimant phoned him. She explained to him what had happened and he asked her if she had proof. She said no she had not and that she got on ok with her. He phoned that claimant and told her to return to work and that there were no issues.

The OM did not tell her that the claimant had a complaint about her or that the claimant said she felt intimidated. The claimant returned and she and the AM met with the claimant. It was a short meeting. She asked the claimant how her mother was. The claimant asked her if she was "Going to hold it against" her. She told her that, they were, "Fine, there are no issues, it's over it's forgotten". She did not threaten the claimant with disciplinary action. She did not tell her that she had one of the worst attendance records; the claimant had one of the best attendance records.

The witness did not recall an incident whereby a till was short €40.00. It was put to the witness that the claimant said she asked her if she was going to discipline the person and she replied don't besuch a "b\*\*\*\*". The witness stated that she did not recall this at all and that she would not talk about such matters (disciplinary matters) "it would be totally unprofessional".

She spoke to the Claimant about offering her a part time job as the Claimant had brought to her attention her personal circumstances and she offered this to alleviate the Claimant position. It was not her intention to "get rid" of full time staff as she maintained, "You need full time staff to run store".

She asked the Claimant how things were with her and the Claimant made derogatory comments about her own mother.

She did not ask the Claimant if she was looking for other work. The atmosphere at the meeting was calm. The meeting was just to ask the Claimant to work in the home ware section. The Claimant finished her shift and it was the last time that she saw the Claimant.

Some weeks later head office phoned her to tell her that the Claimant was on sick leave due to workplace stress. Ms CC from head office asked her to phone the Claimant to see how she was. She asked AM to be present while she made the call. She phoned the Claimant and told her that head office had asked her to phone and asked her how she was. The Claimant told her that she did not have to speak to her and that she did not want to talk to her. She asked the Claimant if she wished to talk to AM and the Claimant declined. She did not ask the Claimant what she was doing sending sick notes to head office.

P phoned the witness to tell her that she had a meeting with the Claimant and would meet her after. P met her later and gave her the letter that the Claimant had written. She was upset at the letter and was shocked when she read the letter.

Previously the Claimant had spoken to her and told her that one-day she wanted to manage her own store. She gave the Claimant advice on educational course that she herself had attended. The Claimant told her that she did not have the confidence to do the course. The Claimant subsequently attended the course. The company funded the course by outlaying half of the course at the beginning and on completion the company paid the balance. The Claimant did not want to pay for half the course before it began, as she had not the money. The witness phoned the HR manager and after numerous conversations with the head of HR she arranged that it be paid. She had told them that if they did not pay it for the Claimant then she herself would pay for it for the Claimant.

The Claimant had previously asked her advice on a career change and she advised her to write down the pros and cons of the change.

She did not try and stop the Claimant from going to the Christmas party.

She had not asked an employee to choose between football and his work. The employee in question played football on weekends and he never worked weekends. The witness worked on opposite weekends to AM. The Claimant did not request to be placed on a different weekend than her (the witness). The opposite was true in that the Claimant told her that she wished to work on the same weekend as her.

The witness when asked about a conflict in evidence explained that no one approached her regarding "issues". That two of the employees gave evidence that they had no issues with her; nobody approached her or approached her boss (about problems with her). The witness told the Tribunal that she still keeps in touch with past employees and socialises with them at Christmas.

### **Determination:**

Having carefully considered all the evidence the Tribunal finds that the decision by the claimant to leave her employment was not a voluntary decision and that it was a case of constructive dismissal.

In the circumstances the Tribunal awards the claimant the sum of €12,480.00, under the Unfair Dismissal Acts, 1977 to 2001.

This \_\_\_\_\_

This \_\_\_\_\_

Signed: \_\_\_\_\_  
(EMPLOYER MEMBER)

Signed: \_\_\_\_\_  
(EMPLOYEE MEMBER)

The two continuing members of the division of the Tribunal that heard this claim have assured me that the evidence herein is an accurate summary of that given and that the Determination herein is as was agreed by all the members of the division.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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