

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

Employee

UD301/2006

MN167/2006

WT94/2006

against

Employer

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2001
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath BL

Members: Mr. M. Flood

Mr B. Byrne

heard this claim at Naas on 20th March 2007
and 21st May 2007

Representation:

Claimant: Mr. Sharbee Morrin BL instructed by Ms Michell Egan Solicitor
Seán Costello & Company, Solicitors, Haliday House, 32 Arran Quay, Dublin 7

Respondent: Mr Bart O'Donnell, Solomon Legal, The Coach House,
Prehen House, Prehen, Derry, BT47 2PB

The determination of the Tribunal was as follows:

Determination:

The employer conceded that the dismissal was unfair in this case. The Tribunal heard evidence from the Claimant as to his loss and he was cross-examined on this evidence. The Tribunal have also examined the Claimant's pay slips and determines his average weekly pay to be €469.00.

Accordingly, under the Unfair Dismissals Acts, 1977 to 2001, the Tribunal awards the Claimant compensation in the sum of €12,200.00, as is just and equitable having regard to all the circumstances.

Under the Minimum Notice and Terms Of Employment Acts, 1973 to 2001, the Tribunal awards the Claimant the sum of €938.00, being two weeks gross pay as compensation.

The claim under the Organisation Of Working Time Act, 1997, was withdrawn.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)