

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
Employee

CASE NO.
UD507/2007

MN362/2007
WT155/2007

against

Employer.

Employer.

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr F. Moloney
Mr C. Ryan

heard this claim at Dublin on 21st September 2007

Representation:

Claimant(s) : Ms. Pauline Codd
instructed by Mr. Stan Murphy, Murphys, Solicitors, Mount Clarence House,
91 Upper Georges Street, Dun Laoghaire, Co Dublin

Respondent(s) :

No representation by or on behalf of the respondents

The determination of the Tribunal was as follows:-

The Tribunal, after detailed examination of the papers, is satisfied that the respondents were properly served with both the notice of claim, and notice of hearing. The claimant was employed in the business from March 2002 until 27 April 2007 when she was told by one of the respondents that new staff had been engaged. At that point, the premises had been closed for about two months for renovations.

The Tribunal finds that the claimant was dismissed on 27 April 2007.

The respondent did not show any substantial grounds justifying the dismissal, which is therefore deemed to be unfair under section 6 of the Unfair Dismissals Act, 1977.

- 1) Under the Minimum Notice and Terms of Employment Acts, 1973 to 2001:
The Tribunal awards the claimant €1300.00, being the equivalent of 4 weeks pay.
- 2) Under the Organisation of Working Time Act, 1997:
The Tribunal awards the claimant €975 in respect of unpaid holidays.
- 3) Under the Unfair Dismissals Acts, 1977 to 2001:
Taking into account her weekly pay before dismissal of €325.00, and some reduced earnings she has received in the meantime, we assess the claimant's financial loss as €26,000.00, and we award her compensation in that amount.

We make these awards against both named respondents - Sharon Redmond & James Redmond - jointly and severally.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

