

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
Employee

CASE NO.
UD561/2007, WT178/2007

Against

Employer

Under

UNFAIR DISMISSALS ACTS, 1977 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. O'Connell B.L.

Members: Mr F. Cunneen
Mr G. Lamon

heard this claim at Dublin on 25th October 2007

Representation:

Claimant : In person

Respondent : No representation listed

The determination of the Tribunal was as follows:

The claimant in this case received a letter dated 2 February 2007 from the company. The wording of that letter gave the claimant the clear impression his employment was being terminated. The Tribunal believes that this is the only reasonable interruption. However, the Tribunal also believes that thereafter, the respondent made genuine efforts to encourage the claimant back into full employment. Notwithstanding, the Tribunal believes that the letter dated 2 February 2007 constituted a dismissal, which, in the circumstances was unfair. Accordingly, the Tribunal awards the claimant €590.00 under the Unfair Dismissals Acts, 1977 to 2001.

The claim under the Organisation of Working Time Act, 1997 fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

