

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
Employee

CASE NO.
UD558/2007

against
Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr J. Goulding
Ms. P. Ni Sheaghda

heard this claim at Dublin on 22nd October 2007

Representation:

Claimant: Mr Simon Earls, Jones Magee Solicitors, 1 Eglinton Road, Bray, Co Wicklow

Respondent: Mr Ciaran McIntyre, Hayes McGrath, Solicitors, 91 Lower Baggot Street, Dublin 2

The determination of the Tribunal was as follows:

The net issue was whether the claimant was dismissed. We were not impressed by the claimant's evidence who changed his account several times. However, his father gave evidence that he heard a voicemail from a member of the management, stating that his P45 and holiday pay would be issued. The manager involved agreed that he had sent this voicemail. We find that the claimant was dismissed.

As no substantial ground has been adduced to justify the dismissal, it is deemed to be unfair under the Act.

The Tribunal awards the claimant €2,500.00 under the Unfair Dismissals Acts, 1977 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

