

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM OF:  
Employee

CASE NO.  
UD418/2007

against  
Employer

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J Flanagan BL  
Members: Mr D Winston  
Mr B Byrne

heard this claim at Dublin on 1<sup>st</sup> October 2007

Representation:

Claimant:  
XXXX

Respondent:  
In person

The determination of the Tribunal was as follows:

The Tribunal has carefully considered the evidence adduced before it. It was admitted by the respondent that the dismissal was effected without fair procedure; specifically the claimant was dismissed without being offered a hearing. A dismissal without fair procedure is an unfair dismissal. Therefore the claim under the Unfair Dismissals Acts, 1977 to 2001 succeeds. The Tribunal notes that the claimant has mitigated his loss by setting up his own business. Having carefully considered all relevant factors the Tribunal awards compensation in the sum of €4,000.00.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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