

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

Employee

UD769/2007

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. Horan
Mr J. Le Cumbre

heard this claim at Dublin on 3rd January 2008

Representation:

Claimant(s) Ms. Patricia Hill BL instructed by Ms. Aileen Fleming, Daniel Spring & Company,
Solicitors, 50 Fitzwilliam Square, Dublin 2

Respondent(s) Mr. Liam Dockery BL instructed by Mr Michael O Dwyer, O'Hare O'Dwyer Solicitors,
Greenfield Road, Sutton, Dublin 13

The determination of the Tribunal was as follows: -

Determination

The respondent conceded that dismissal was unfair.

The claimant's loss of earnings amount to €8,950 and he has an ongoing loss of €250 per week into the future. The Tribunal are requested to assess compensation as is just and equitable in all the circumstances.

The Tribunal had regard to the following:

- (1) the claimant's diligence in seeking work outside even his trade at a lower rate of pay
- (2) Changes in the economic state of the printing industry, in which both sides seemed to be agreed
- (3) the financial state of the respondent
- (4) the respondent's acknowledgment of their default when the hearing began
- (5) agreement on both sides that reinstatement was not appropriate

The Tribunal assess a figure of €15,000.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

