

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

Employee
against
Employer

UD607/2007

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr. B. Kealy
Ms. M. Maher

heard this claim at Dublin on 6 November 2007
and 6 February 2008

Representation:

Claimant:

Mr. Brendan Archbold, 12 Alden Drive, Sutton, Dublin 13

Respondent:

Mr. William Fawsitt B.L. instructed by Mr. Morgan Redmond,
Devaney & Partners, Solicitors, Main Street, Malahide, Co. Dublin

The determination of the Tribunal was as follows: -

Determination

This was a claim of constructive dismissal in which it fell to the claimant to make his case. The claimant gave evidence on the first day of hearing and was cross-examined. There was no appearance by the respondent on the second day of hearing. Accordingly based on the uncontroverted evidence of the claimant in regard to unlawful deductions from his pay the Tribunal is satisfied that the claimant was entitled to consider himself to have been constructively dismissed. Having taken into account the claimant's significant contribution to the termination of his employment the Tribunal awards €1,000 under the Unfair Dismissals Acts, 1977 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)