

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

Employee

CASE NO.

UD974/2007

MN756/2007

against
Employer

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001
UNFAIR DISMISSALS ACTS, 1977 TO 2001**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath BL

Members: Mr M. Murphy
Ms. K. Warnock

heard this claim at Navan on 19th June 2008

Representation:

Claimant(s) : Ms. Ailionóra McMahon BL instructed by:
Mr Murrough E McMahon, Regan McEntee & Partners, Solicitors, High Street,
Trim, Co Meath

Respondent(s) : Ms. Rosemarie Mallon BL instructed by:
Patrick Tallan & Company, Solicitors, New Town Centre, Ashbourne, Co. Meath

The determination of the Tribunal was as follows:-

It was conceded by the respondent that the claimant had been dismissed and that it was unfair. The claimant gave evidence of loss.

Claimant's Case:

The claimant stated that she had been employed by the respondent for a period of one year and one month. On December 12th 2006 the claimant had an accident at work, injured her wrist (fractured in two places) and had to wear a splint. She explained that she could not lift heavy objects because of the injury. She stated that things went "downhill" after the accident and she found it difficult going in and out of work daily. When asked, she stated she had attended her solicitor on the matter.

She had registered with FÁS. The claimant stated that she was out of work for one month. Her son had an operation and was out of school for three of the four weeks she was out of work. She

secured a position in an off licence but left after two days as she had been contacted by FÁS and was offered a place on a merit course in childcare. She now earned less wages than when employed with the respondent.

Determination:

The respondent conceded the claimant's claim under the Unfair Dismissals Acts, 1977 to 2001 and accordingly the Tribunal awards the claimant the sum of € 2,200.

The Tribunal is satisfied that claimant is entitled to payment of € 330 which is the equivalent of one weeks wages under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)