

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:
Employee

CASE NO.UD675/2007
WT228/2007

against
Employer

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms E Kearney

Members: Mr T Gill
Ms H Henry

heard this claim at Galway on 13th June 2008

Representation:

Claimant: Concanon & Meagher, Solicitors,
Frank Stockwell Road, Tuam, Co Galway

Respondent: In person

The determination of the Tribunal was as follows:

The evidence presented showed that an inflamed situation occurred on the 7th May 2007 between the claimant and a co-worker, which, in the opinion of the Tribunal, was not handled appropriately by the employer. The Tribunal finds that the matter was neither investigated nor dealt with in a fair manner, and consequently, finds that the claimant was unfairly dismissed. Accordingly, the claim under the Unfair Dismissals Acts, 1977 to 2001, succeeds and the Tribunal awards the claimant €35,000.00 (thirty-five thousand euro). The Tribunal finds that the claim under the Organisation of Working Time Act, 1997, fails due to lack of evidence.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)