

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
Employee

CASE NO.
MN404/2007
UD551/2007
WT175/2007

Employer

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001 ORGANISATION OF WORKING TIME ACT, 1997 UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Sheedy

Members: Mr. M. Forde
Mr. T. Kennelly

heard this claim at Limerick on 3rd July 2008

Representation:

Claimant(s): No representation or attendance by or on behalf of the claimant

Respondent(s): No representation or attendance by or on behalf of the respondent

The determination of the Tribunal was as follows:-

Claimant's Case

The claimant told the Tribunal that she worked with the respondent for two years. She got on very well and the owner's wife helped out with the business. The respondent was in considerable debt when she commenced employment. The claimant was informed on 5 March 2007 by the owner's wife that she was being let go due to financial reasons. No other matters were discussed with the claimant. Neither the owner nor his wife had given her an indication prior to 5 March 2007 that they were in financial difficulties. She stated that the shop is still open and another company is now operating the business. She took over the franchise for a short time but was unable to continue with this. She has not seen the owners since she was let go. She was asked to manage a shop nearby and a week later the job offer was rescinded.

Determination

On the uncontested evidence of the claimant the Tribunal find that the claimant was unfairly dismissed and award her the sum of €10,000 under the Unfair Dismissals Acts, 1977 to 2001. The claimant's employment terminated without notice and she is therefore entitled to one week's gross pay in the amount of €471.15 under the Minimum Notice and Terms of Employment Acts, 1973 to 2001.

The claimant received her holiday pay and she is therefore not entitled to compensation under the Organisation of Working Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

