

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:  
Employee

CASE NO.  
UD777/2008

against

Employer  
under

### UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mrs. M. Quinlan

Members: Mr. M. Flood  
Mr. J Maher

heard this claim at Dublin on 17th November 2008

Representation:

Claimant: Ms Jennifer Murphy of Carley and Connellan, Solicitors,  
10 Anglesea Street, Dublin 2.

Respondent: No appearance or representation.

This case came before the Tribunal as an appeal of the recommendation of the Rights Commissioner in case r-057016-ud-07/JOC

The determination of the Tribunal is as follows:

There was no appearance by or on behalf of the respondent at the Hearing. The Tribunal is satisfied that the respondent has been properly notified of the Hearing. It is noted that the respondent did not appear at the Hearing before the Rights Commissioner either.

Based on the uncontested evidence of the appellant the Tribunal finds that he was unfairly dismissed.

The Tribunal accepts the evidence of the appellant that he worked on average more than 39 hours a week and awards the appellant a total award of €15,000.00.

The recommendation of the Rights Commissioner is varied.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)