

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM(S) OF:**

Employee

– *claimant*

**CASE NO.**

UD1044/2008

MN973/2008

against

Employer

– *respondent*

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. P. Clancy

Members: Mr. B. O'Carroll  
Dr. A. Clune

heard this claim at Ennis on 22nd January 2009

**Representation:**

Claimant(s): Mr. Philip Moloney B.L. instructed by Mr. John Battles, F B Keating & Co.,  
Solicitors, 91 O'Connell Street, Limerick

Respondent(s): Mr. Frank Drumm B.L. instructed by Mr. Alec Gabbett, Leahy & Partners,  
Solicitors, Park Manor, Upper Mallow Street, Limerick

The determination of the Tribunal was as follows:-

**Determination:**

The claim of unfair dismissals was conceded, as there was common case between the parties that the dismissal had been unfair, therefore the matter before the Tribunal was assessment of loss only.

Evidence was adduced by the claimant in relation to the periods of unemployment and in relation to his attempts to mitigate his loss.

Having carefully considered all to the evidence, arguments and figures submitted to the Tribunal, it was decided in all of the circumstances that an amount of €18,000.00 be awarded to the claimant under the Unfair Dismissals Acts, 1977 to 2001. The claim under the Minimum Notice and Terms

of Employment Acts, 1973 to 2001 also succeeds and the Tribunal awards the claimant the sum of €928.93, this being the equivalent of one weeks pay.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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