

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE - *appellant*

CASE NO.

UD525/2009

against the recommendation of the Rights Commissioner in the case of:

EMPLOYER - *respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr. L. Tobin
Mr F. Barry

heard this appeal at Dublin on 20th November 2009

Representation:

Appellant(s) : Mr. John Murphy, Assistant Branch Organiser, SIPTU,
Construction & Allied, Trades Branch, Liberty Hall, Dublin 1

Respondent(s) : No appearance by or on behalf of respondent

The determination of the Tribunal was as follows:-

This case came before the Tribunal by way of an appeal from a Rights Commissioner's recommendation Ref: r-065106-ud-08/POB

Determination:

The appellant's case was that he was a long term senior employee and he was unfairly selected for redundancy. The respondent did not attend the hearing or present any arguments to justify his dismissal. Accordingly the Tribunal allows the appeal and sets aside the recommendation of the Rights Commissioner. The Tribunal assesses compensation "as is just and equitable having regard

to all the circumstances” (section 7 of the Act) at €15,000.00

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

