

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:  
EMPLOYEE – *claimant*

CASE NO.  
UD1152/2009  
RP1330/2009  
MN1159/2009

against

EMPLOYER – *respondent*

EMPLOYER – *respondent*

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**  
**REDUNDANCY PAYMENTS ACTS 1967 TO 2007**  
**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS 1973 TO 2005**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr. T. O'Sullivan  
Mr. O. Nulty

heard this claim at Drogheda on 30 March 2010

Representation:

Claimant: Mr. John King, SIPTU, Palace Street, Drogheda, Co. Louth

Respondent: No appearance or representation

The determination of the Tribunal is as follows:

The Tribunal is satisfied that the respondent was properly on notice of the hearing.

### **Determination**

Based on the uncontested evidence of the claimant the Tribunal accepts that he was summarily dismissed without recourse to any fair procedures. Accordingly the Tribunal finds that he was unfairly dismissed. The claimant is awarded €2,000.00. The claim under the Unfair Dismissals Acts, 1977 to 2007 succeeds.

As claims under the Unfair Dismissals Acts and the Redundancy Payments Acts are mutually exclusive the claim under the Redundancy Payments Acts, 1967 to 2007 is dismissed.

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeeds and

the claimant is awarded €1,000.00 being 2 weeks pay.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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