

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM OF:

CASE NO.

EMPLOYEE - **claimant**

UD2383/2009

MN2205/2009

WT1008/2009

against

EMPLOYER - **respondent**

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007  
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005  
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr J G Flanagan  
Ms N Greene

heard this claim at Dublin on 8<sup>th</sup> February 2011

Representation:

Claimant:

Mr C Dunne, Bowler Geraghty & Co. Solicitors,  
2 Lower Ormond Quay, Dublin 1

Respondent:

No appearance by, or representation on behalf of the respondent

The determination of the Tribunal was as follows: -

**Determination**

There was no appearance by or on behalf of the respondent. At the direction of the Tribunal the secretary to the division made a telephone call to the claimant's former place of work. A member of staff answered the telephone and stated that the company secretary was not present and the member of staff was not in a position to confirm whether or not the respondent was aware of the hearing.

The Tribunal was satisfied that the respondent had been properly notified of the hearing. The Tribunal decided to proceed to hear the case. Based on the uncontroverted evidence of the claimant the Tribunal is satisfied that the claimant was unfairly dismissed and having heard evidence of loss the Tribunal awards €48,856-00 under the Unfair Dismissals Acts, 1977 to 2007.

The Tribunal further awards €1,326-00, being two weeks' pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and €2,016-00 in respect of unpaid holidays under the Organisation of Working Time Act, 1997

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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