

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.
UD2451/2009
MN2295/2009

EMPLOYEE *-claimant*

against

EMPLOYER *-respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr T. Taaffe
Members: Mr J. Hennessy
Ms S. Kelly

heard this claim at Abbeyleix on 13th January 2011

Representation:

Claimant: Ann Manning solicitor, Breen Manning
solicitors, Tower Hill, Portlaise, Co. Laois

Respondent: In person

Background:

The claimant in this case is a coach bus driver and the respondent is a coach hire business.

Respondent's case:

The Tribunal heard evidence from the owner of the respondent. He explained that the claimant worked a six-day week and the claimant reduced it to a five-day week and further reduced it to a three-day week.

They got a substantial amount of complaints about the claimant during the year that he was let-go.

Determination:

The Tribunal carefully considered all of the evidence adduced.

1. It is satisfied that no proper investigative or disciplinary process was engaged in by the respondent prior to its dismissal of the claimant and therefore finds this dismissal to be unfair and so determines:
2. A sum of €20,000.00, is awarded in compensation is awarded as compensation in respect of his dismissal to the claimant under the Unfair Dismissals Acts 1977 to 2007.
3. The Tribunal also finds that (a) the claimant was entitled to four week's notice in respect of the termination of his employment, (b) that only one weeks notice given and (c) that the claimant is therefore entitled to the balance of three week's notice which is represented by a sum of €990.00, which the claimant is hereby additionally awarded under the Minimumnotice and Terms of Employment Acts, 1973 to 2005. Therefore entitling the claimant to a total sum of €20,990.00 and the Tribunal so determines.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)