

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE – *claimant*

CASE NO.
UD1532/2009
MN1520/2009
WT654/2009

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 R Maguire BL

Members: Mr R Prole
Mr C Ryan

heard this claim at Dublin on 29th July 2010 and 16th February 2011

Representation:

Claimant(s): Mr Blazej Nowak
Polish Consultancy Enterprise
107 Amiens Street, Dublin 1

Respondent(s): No appearance or representation on behalf of Receiver

The determination of the Tribunal was as follows:-

There was no appearance by or representation on behalf of the Receiver. The Tribunal is satisfied that the Receiver was on notice of the hearing.

The claimant gave evidence that his employment with the respondent company commenced on September 13th 2007. He worked in a team providing technical servicing to a chain of supermarkets. He contended that on May 29th 2009 he was told that he was dismissed. He was not given any notice pay. He was paid for his holidays in 2008, but had only taken five days leave in 2009. He earned €600.00 gross pay per week. He was the longest serving employee in the company. Other employees remained with the company until it went into receivership in August 2009. He remained in Ireland seeking work for two months after his dismissal. He then went home to Poland where he got a job in October 2009.

Determination:

Based on the uncontested evidence of the claimant the Tribunal finds that he was unfairly dismissed from his position. Accordingly, claim under Unfair Dismissals Acts, 1977 to 2007, succeeds and the Tribunal awards the claimant €10,200 (ten thousand two hundred euro) based on 17 weeks at €600.00 (six hundred euro). The Tribunal awards the claimant €600.00 (six hundred euro) in respect of one week's notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005. The Tribunal awards the claimant €480.00 (four hundred and eighty euro) in respect of four days' holiday pay under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)