

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM(S) OF:**

EMPLOYEE

- *First named claimant*

**CASE NO.**

UD215/2010

MN207/2010

EMPLOYEE

- *Second named claimant*

UD335/2010

MN308/2010

against

EMPLOYER

- *respondent*

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms D. Donovan BL

Members: Mr. W. O'Carroll  
Mr N. Dowling

heard this claim at Tullamore on 8th June 2011

Representation:

Claimant:

Respondent: No appearance by or on behalf of the respondent.

The determination of the Tribunal was as follows:-

There was no appearance by or on behalf of the respondent; the Tribunal was satisfied that they were properly notified of this hearing.

The first and second named claimants in their direct evidence told the Tribunal that they were both employed as cleaners on the same premises. In mid May 2009 they were informed by their employer that the contract for these premises was going to be operated by the respondent. This transfer of undertakings took place on the 30<sup>th</sup> June 2009 and the claimants' services were not retained by the respondent.

## **Determination**

Based on the uncontested evidence of the claimants, the Tribunal finds that a transfer of undertakings took place and that the claimants were unfairly dismissed. The Tribunal awards the claimants €1,410.00 each under the Unfair Dismissals Acts 1977 to 2007.

The Tribunal awards both named claimants €235.00 each in respect of two weeks' notice entitlement under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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