

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.
WT380/2010
UD919/2010

EMPLOYEE-*Claimant*

Against

EMPLOYER-*Respondent*

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr T. Taaffe

Members: Mr J. Horan
Mr F. Keoghan

heard this claim at Dublin on 6th September 2011

Representation:

Claimant: Hughes & Liddy, Solicitors, 2 Upper Fitzwilliam Street,
Dublin 2

Respondent: No appearance by or on behalf of the respondent

The Tribunal is satisfied that the respondent was properly notified of the hearing. Neither the respondent nor a representative on its behalf attended the hearing.

The claimant's representative told the Tribunal that he had contacted the liquidator on several occasions and had now received a letter stating that they would not be in attendance and any award made will rank as a claim against the company.

The claimant gave evidence that he began work for the respondent company on 29th Sept 2008 and was dismissed on 2nd February 2010.

Determination:

In the light of the foregoing and in the absence of any evidence from the Respondent, the Tribunal, in applying the provisions of section 6(6) of the Unfair Dismissals Act 1977, determines that the dismissal of the Claimant was unfair. Having heard evidence of loss the Tribunal determines that an award to the claimant in the amount of €18,432.00 represents just and equitable compensation.

No evidence was adduced in respect of the claim under the Organisation Of Working Time Act, 1997 and therefore this claim fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

