

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

UD617/2010

against
EMPLOYER
under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. B. Glynn
Members: Mr. P. Pierson
 Mr. O. Nulty

heard this claim at Longford on 22nd September 2011

Representation:

Claimant: Mr. Brendan Archbold, 12 Alden Drive, Sutton, Dublin 13

Respondent: No appearance by or on behalf of the respondent

There was no appearance by or on behalf of the respondent and the Tribunal is satisfied that he was properly notified of the hearing.

Claimant's case

The claimant commenced employment with GGB Limited on 7th February 2008. This business was then transferred to KK, trading as BB on 11th February 2008. On 1st October 2008 the business was again transferred, this time to SJM.

On each occasion of the business being transferred to another owner the claimant remained in employment at the same premises and with the same terms and conditions of employment.

The claimant was not allowed any meal breaks during the working day and when he approached the manager on 5th December 2009 and requested that he be allowed meal breaks, in accordance with employment legislation, he was told that he no longer worked there and was summarily dismissed.

Having been unemployed for just three weeks, the claimant commenced employment elsewhere at a higher rate of pay

Determination

Having considered the uncontested evidence of the claimant the Tribunal is satisfied that he was unfairly dismissed and awards him €2,100.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

