

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE - claimant

UD2019/10

Against

EMPLOYER - respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr C. Corcoran B.L.

Members: Mr M. Noone
Mr J. Flannery

heard this claim at Dublin on 27th February 2012.

Representation:

Claimant: Mr. Michael Hegarty, Smyth O'Brien Hegarty, Solicitors, 24 Lower Abbey
Street, Dublin 1

Respondent : No appearance by or on behalf of the respondent

The determination of the Tribunal was as follows:-

Claimant's Case:

The respondent is a licenced premises. The claimant worked as a Bar Supervisor. She commenced work on 13th May 2009.

On 30th July 2010 KM asked her to attend a meeting. She was handed a letter and informed that she was being made redundant. The letter of even date confirmed this decision. Her employment ceased that day. She was shocked and humiliated. This was the first time she was informed that her job was in jeopardy. No other options such as a pay cut or working shorter hours were offered to her. She was not permitted to work out her notice but instead was paid in lieu of notice. The business continued trading and her position has subsequently been filled.

Following the termination of the claimant's employment she applied for many positions but was

unsuccessful. She had to retrain and secured work as a care assistant in January 2011.

Respondent's Case:

No evidence adduced.

Determination:

The Tribunal is satisfied that the respondent was properly notified of the hearing. Neither the respondent nor a representative on their behalf appeared at the hearing.

Based on the claimant's uncontested evidence the Tribunal is satisfied that the claimant was unfairly selected for redundancy and was therefore unfairly dismissed and awards her €13,551.60 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
CHAIRMAN)