

## EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE - **Claimant**

UD2068/2010

MN2015/2010

WT920/2010

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 T Ryan

Members: Mr T. O'Grady  
Mr S. O'Donnell

heard these claims at Dublin on 7 March 2012

#### **Representation:**

Claimant:

Mr Tadgh Dorgan BL instructed by Mr Mark Marren,  
Niall Corr & Company Solicitors,  
32 Malahide Road, Artane, Dublin 5

Respondents:

Liquidator's office

The determination of the Tribunal was as follows:

#### **Determination:**

The respondent's representative told the Tribunal that the liquidator had been unable to access any books or records from the respondent and was therefore not able to offer any evidence in the matter. Based on the uncontroverted evidence of the claimant the Tribunal was satisfied that the claimant was unfairly dismissed. The evidence having shown that the claimant found work after three weeks at a higher level of pay than he had been receiving from the respondent the Tribunal awards €1,411-17 under the Unfair Dismissals Acts, 1977 to 2007.

The Tribunal further awards €470-39, being one week's pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and €940-78, being the equivalent of two weeks' pay, under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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