

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIMS OF:

CASE NO.

EMPLOYEE - **Claimant**

UD401/2011

RP500/2011

MN388/2011

against

EMPLOYER - **Respondent**

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**  
**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**  
**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr R. Maguire BL

Members: Mr T. O'Grady  
Mr P. Woods

heard these claims at Dublin on 19 June 2012

**Representation:**

Claimant:

Mr David B. Doyle, Doyle Associates Solicitors, Orchard House,  
56 Main Street, Rathfarnham, Dublin 14

Respondents:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

**Determination:**

At the outset the claims under both the Redundancy Payments Acts and the Minimum Notice and Terms of Employment Acts were withdrawn.

The Tribunal, being satisfied that the respondent was properly on notice of the hearing, based on the uncontroverted evidence of the claimant the Tribunal was satisfied that the claimant was entitled to consider herself as being constructively dismissed on 12 November 2010. The evidence having shown that the business transferred to another entity in January 2011 the Tribunal is satisfied that, but for her constructive dismissal, she would have been expected to continue working for that entity. Accordingly, the Tribunal awards €72,200-00, being 76 weeks' pay at €950-00 per week, under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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