

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE
(*claimant*)

CASE NO.

UD2105/2010
MN2061/2010

Against

EMPLOYER
(*respondent*)

under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. F. Murphy

Members: Mr. D. Morrison
Mr M. Mcgarry

heard this claim at Castlebar on 19th April 2012

Representation:

Claimant(s) : Mr. Stephen Lydon, Solicitor, 30 Manor Gardens, Church Road, Ballina,
Co Mayo

Respondent(s) : No appearance by or on behalf of the respondent

The determination of the Tribunal was as follows:

The claimant confirmed the details as set out in her claim form, adding that the weekly gross pay amounted to €324 per week. She had told her Supervisor one year in advance of her intention to take leave and completed the annual leave form one month prior to going on holiday, having requested 9th – 30th June 2010. She spoke to her Supervisor on 30th June 2010 and was told she was rostered for 3rd July 2010. The Supervisor told her to come in on 1st July as the Manager wanted to speak to her. When she went in on 1st July the Head Manager told her there was no job for her anymore with no explanation. There was no written notice, no procedures, and no appeal mentioned. She did not receive a contract of employment. Her Minimum Notice entitlement was not complied with.

The claimant gave evidence pertaining to loss and her efforts to mitigate the loss.

Determination

On the uncontested evidence of the appellant, the Tribunal awards the claimant €5,508 under the Unfair Dismissals Acts, 1977 to 2007 and €648, being the sum due for two weeks' notice under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)