<div align="center">**EMPLOYMENT APPEALS TRIBUNAL**</div>

CLAIM(S) OF: CASE NO.
EMPLOYEE   *- claimant*   UD1328/2011

Against

EMPLOYER   *- respondent*

under

<div align="center">**UNFAIR DISMISSALS ACTS, 1977 TO 2007**</div>

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy S C

Members: Mr J. Horan
                 Mr M. O'Reilly

heard this claim at Dublin on the 6 November 2012

Representation:

Claimant(s) : Evans Little O'Reilly, Solicitors, Solution House,
                  139 St Peters Road, Walkinstown, Dublin 12

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

Determination
There was no appearance by or on behalf of the respondent. The claimant commenced employment on the 30 May 2008. While working part time for the respondent she also attended an English language training college.

Both the claimant and her husband gave evidence of informing the respondent that she was sick and receiving a text message from her employer on the 26 August 2010 advising her that she was dismissed.

Despite the absence of the respondent the Tribunal had to satisfy itself on a number of issues. After careful enquiry the Tribunal is satisfied that the parties were properly notified of the hearing and that the claim was lodged within the statutory time.

Section 6 (1) of the Unfair Dismissals Act 1977 provides

" the dismissal of an employee shall be deemed, for the purposes of this Act, to be an unfair dismissal unless, having regard to all the circumstances, there were substantial grounds justifying the dismissal"
In the absence of any appearance by or on behalf of the respondent no such substantial ground was shown, and the dismissal is therefore deemed to be unfair.

The Tribunal also made careful enquiry into the legal status of her employment and it is satisfied that it was in order. The Tribunal consider the dismissal unfair and having regard to all the circumstances award the claimant compensation in the amount of €17,500 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the

Employment Appeals Tribunal

This   _____

(Sgd.) _____
     (CHAIRMAN)