

## EMPLOYMENT APPEALS TRIBUNAL

### CLAIM OF:

EMPLOYEE - *Claimant*

### CASE NO.

WT440/2011  
UD1074/2011

Against

EMPLOYER - *Respondent*

under

### UNFAIR DISMISSALS ACTS, 1977 TO 2007 ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms P. McGrath B.L.

Members: Mr. N. Ormond  
Ms. N. Greene

heard this claim at Naas on 19th December 2012

### **Representation:**

Claimant: In Person

Respondent: No appearance

The determination of the Tribunal was as follows:-

### **Determination**

The Tribunal heard the uncontested evidence of the claimant. The Tribunal finds that the claimant was unfairly dismissed when he was, without warning or foreknowledge, brought into a meeting with his managers and/or supervisors and had his employment terminated. It is quite clear that fair procedures were not observed – for example it is noted that the right of appeal lay to the same individual who wrote the claimant's letter of dismissal. In the circumstances the Tribunal finds the claimant was unfairly dismissed and awards the sum of €6,392.00 under the Unfair Dismissals Acts, 1977 to 2007.

Based on the claimant's uncontested evidence, the Tribunal awards €1504.00, four weeks pay, in respect of outstanding holiday entitlements under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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