

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE – **Claimant**

UD2431/2011

RP2966/2011

MN2432/2011

WT971/2011

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
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms O. Madden BL

Members: Mr M. Noone
Mr T. Brady

heard these claims at Dublin on 18 April 2013

Representation:

Claimant:

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

Determination:

Being satisfied that the respondent was properly on notice of the hearing the Tribunal proceeded to hear the claims. At the outset the claim under the Redundancy Payments Acts, 1967 to 2007 was withdrawn. In circumstances where the respondent was not in a position to give evidence the claim under the Unfair Dismissals Acts must succeed as the onus of proof rests on the respondent to satisfy the Tribunal that the dismissal was not unfair. The employment began on 15 August 2009 and the claimant was dismissed on 6 August 2011. Having heard evidence of loss that the claimant found work, at a slightly higher rate of pay, after some six months the Tribunal awards €8,304-00 under the Unfair Dismissals Acts, 1977 to 2007.

Loss having been established, the Tribunal awards €346-00, being one week's pay, under the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

The Tribunal further awards €2,076-00, being the equivalent of six weeks' pay for unpaid holidays under the Organisation of Working Time Act, 1997.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)