

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:
EMPLOYEE

-claimant

CASE NO.
UD1505/2011
MN1567/2011

Against

EMPLOYER *-respondent*
EMPLOYER *-respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. O'Leary B. L.

Members: Mr. M. Flood
Mr C. Ryan

heard this claim at Dublin on 21st June 2013

Representation:

Claimant:

Respondent: No appearance or representation on behalf of

Claimant's Case

The claimant gave evidence with the aid of an interpreter. The claimant commenced employment as a barber in February 2006. She left for maternity leave in October 2010. The claimant was on sick leave after her maternity leave expired in April 2011. On the 22nd of June 2011 the claimant wrote to the respondent enquiring about her employment status as she had not been offered any work. The respondent did contact her and said there was no work available in the premises she was working in but offered her an alternative position. The alternative position was for only 2-3 days per week in an unsuitable location.

The claimant gave evidence of her loss and attempts to mitigate her loss.

Determination

The Tribunal are satisfied that the respondent was properly on notice of this hearing. Neither they nor a representative attended the hearing.

Based on the uncontested evidence of the claimant the Tribunal find that she was unfairly dismissed. The Tribunal award her €4,500.00 as compensation under the Unfair Dismissals Acts, 1977 to 2007.

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 succeeds. The claimant is awarded €1,080.00 being the equivalent to 4 weeks' minimum notice.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)