

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

Employee

UD697/2007

against

Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. M. Gilvarry
Members: Mr. B. O'Carroll
Mr. T. Kennelly

heard this appeal at Galway on 16 October 2008

Representation:

Appellant: Mr. Sean Acton, Michael McDarby & Co. Solicitors,
Glebe Street, Ballinrobe, Co. Galway

Respondent: No appearance by or representation on behalf of

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 claim in the absence of the respondent. The claimant was employed from 8 September 2005 as a sales administrator. On 8 February 2007 after her supervisor threatened the claimant she left the premises and reported the incident to the respondent. The claimant attended her GP and obtained a medical certificate. The claimant then received her P45 from the respondent who took the view that the claimant had resigned. Based on the uncontroverted evidence of the claimant the Tribunal is satisfied that the claimant was dismissed by the respondent without any or fair procedures. It must follow that such dismissal was unfair. The Tribunal awards €8,000-00 under the Unfair Dismissals Acts, 1977 to 2001

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)