

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

Employee

CASE NO.

MN985/2008

UD1065/2008

WT446/2008

against

Employer

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
ORGANISATION OF WORKING TIME ACT, 1997
UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal

(Division of Tribunal)

Chairman: Mr M. Gilvarry

Members: Mr. D. Morrison

Mr G. Hunter

heard this claim at Letterkenny on 22nd April 2009

Representation:

Claimant(s) : In Person

Respondent(s) : Not present or represented

The determination of the Tribunal was as follows:-

At the outset the claim under the Organisation of Working Time Act, 1997 was withdrawn.

Determination:

The Tribunal is satisfied that the respondent was on notice of the hearing. The claimant gave uncontroverted evidence of his dismissal. As the respondent failed to attend the hearing and discharge the onus placed on it to establish that the dismissal was not unfair the Tribunal, applying subsection (6) of section 6 of the Unfair Dismissals Act 1977, deems the dismissal unfair. The Tribunal awards the claimant € 2,500.00 under the Unfair Dismissals Acts, 1977 to 2001.

The claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 was dismissed as it transpired in evidence that the claimant was paid his full compliment.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)