



EMPLOYMENT RIGHTS TRIBUNAL

Case: ERT/2014/018

MERLENE CORBIN

APPLICANT

AND

RIVAL ENTERPRISES LTD

RESPONDENT

CONSTITUTION OF TRIBUNAL		
CHAIRMAN: Mr R. Omari Drakes MEMBER: Mr Frederick Forde MEMBER: Dr. Hartley Richards	APPLICANT'S REPRESENTATIVE(S): Merlene Corbin Erin Corbin-Boyce, Attorney-at-Law RESPONDENT'S REPRESENTATIVE(S): WITNESS(ES): Merlene Corbin OTHERS:	
HEARING DATE(S): August 21, 2019 July 23, 2020	APPLICANT : Present Present	RESPONDENT:

FINDING OF TRIBUNAL ON QUESTION(S) OF FACT MATERIAL TO DECISION

The Tribunal finds that:

- (i) The Applicant was unfairly dismissed by the Respondent.

SUMMARY OF DECISION

The Tribunal unanimously finds that the Respondent employed the Applicant for nineteen (19) years. The Applicant's employment began on October 24, 1994 and the Respondent dismissed her on January 10, 2014. The Applicant therefore qualifies not to be unfairly dismissed pursuant to Section 27 of the Employment Rights Act. The Respondent has failed to enter a defence to the Applicant's claim and consequently has been unable to discharge the burden placed on it by Section 29 (1) of the Employment Rights Act. In light of these findings the Applicant's claim of unfair dismissal is upheld.

Having been unfairly dismissed, the Applicant is awarded the sum of \$17,642.59.

REASON FOR DISSENT (IF ANY)

N/A

Signature of Chairman:



R. Omari Drakes

Date: July 29, 2020