

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
Employee

CASE NO.
UD74/2008,RP70/2008
MN62/2008WT42/2008

Against

Employer

Under

UNFAIR DISMISSALS ACTS, 1977 TO 2001
REDUNDANCY PAYMENTS ACTS, 1967 TO 2003
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001
ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. MacCarthy S C

Members: Mr J. Goulding
Mr C. Ryan

heard this claim at Wicklow on 22nd October 2008

Representation:

Claimant : Tarrant & Tarrant, Solicitors, Law Chambers, Arklow, Co Wicklow

Respondent : Ms. Deirdre Burke, D. M. Burke & Co., Solicitors, 1 Bridgewater,
North Quay, Arklow, Co. Wicklow

The determination of the Tribunal was as follows:

This case has come before the Tribunal on three occasions. It was initially set down for hearing on 7 May 2008 but was postponed on the claimant's application on 22 April 2008. It was subsequently put down for mention on 31 July 2008 and then re-listed peremptorily against the claimant.

The Tribunal is satisfied that the claimant was properly notified of these hearings. He failed to appear for any of them and the Tribunal was told he is residing overseas and has no plans to return to Ireland in the foreseeable future.

Accordingly, the Tribunal dismisses his claim under the Unfair Dismissals Acts, 1977 to 2001 and his appeals under the Redundancy Payments Acts, 1967 to 2003, Minimum Notice and Terms of Employment Acts, 1973 to 2001, and the Organisation of Working Time Act, 1997 fall for lack of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

