

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

Employee

CASE NO.

UD52/2008

against

Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. P. Clancy

Members: Mr. G. Phelan
Dr. A. Clune

heard this claim at Limerick on 3rd November 2008

Representation:

Claimant(s): No appearance

Respondent(s): No appearance

The determination of the Tribunal was as follows:-

Determination:

The Tribunal is satisfied that the claimant, respondent and their representatives had been properly notified of the hearing, which was scheduled to commence at 2.30pm. However, there was no appearance by them or on their behalf.

By way of fax dated 30 October 2008, the claimant's representative notified the Tribunal that the hearing would not be proceeding as the matter had been settled between the parties. However, this notification did not satisfy section 6 of Statutory Instrument No. 24/1968 – Redundancy (Redundancy Appeals Tribunal) Regulations, 1968.

The Tribunal waited until 3.00pm before proceeding with the case. In the absence of the claimant and/or the claimant's representative and because of the failure of the contents of the fax to satisfy section 6 of S.I. No. 24/1968, the appeal under the Unfair Dismissals Acts, 1977 to 2001

is dismissed for want of prosecution.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)