

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM(S) OF:  
Employee

CASE NO.  
UD1073/2008

MN990/2008

against  
Employer

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2001  
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms P. McGrath B.L.  
Members: Mr J. Hennessy  
Ms. E. Brezina

heard this claim at Carlow on 20th March 2009

**Representation:**

Claimant: No appearance or representation

Respondent: A director of the company

**The determination of the Tribunal was as follows:**

The Tribunal permitted the claimant a few minutes to be in attendance. No appearance was made by or on behalf of the claimant. The Tribunal was satisfied that the claimant was notified of the hearing date by letter on or about the 17<sup>th</sup> February 2009. The Tribunal was on notice of the fact that there was an email communication with the offices of the Tribunal on the 18<sup>th</sup> March 2009 indicating that the claimant had a difficulty with attending on the 20<sup>th</sup> March 2009. However, no formal application was made for a postponement -nor was one made in late February 2009 when the claimant would have been aware that he might have difficulty being in attendance.

In the circumstances a director of the respondent sought that the matter be struck out and the Tribunal allowed this request. Accordingly, the Tribunal makes the order to dismiss the claims under the Unfair Dismissals Acts, 1977 to 2007 and the Minimum Notice and Terms of Employment Acts, 1973 to 2005, for want of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_

(CHAIRMAN)