

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
Employee

CASE NO.
UD147/2009

against

Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr D Winston
Ms A Moore

heard this claim at Dublin on 8th July 2009

Representation:

Claimant: Colm O'Cochlain & Co, Solicitors, First Active House,
Blessington Road, Tallaght Village, Dublin 24

Respondent: Mr David Farrell, IBEC, 84/86 Lower Baggot Street, Dublin 2

The determination of the Tribunal was as follows:

The Tribunal is satisfied that the claimant and his representatives were properly notified of this hearing. Neither the claimant nor a representative on his behalf made an appearance.

The secretary to the Tribunal at the direction of the Tribunal telephoned the solicitors for the claimant. The solicitors firm stated that they had sent a fax to the Tribunal the previous day. However no such document had been received and the fax number used appeared to be incorrect. The fax was re-sent and the Tribunal considered the document, which stated that the claimant was unable to fly from Poland due to acute sinusitis. There was no suggestion that the claimant intended to appear at any future date and no postponement was sought.

Having considered the circumstances of this case the Tribunal determines that this claim under the Unfair Dismissal Acts, 1977 to 2007 is dismissed for want of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)