

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

Employee

MN991/2008
RP926/2008

against

Employer
under

MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony B.L.

Members: Mr. M. Forde
Mr D. McEvoy

heard this appeal at Cork on 23rd June 2009

Representation:

Appellant :

Mr. Pat McGrath, SIPTU, Cork No.3 Branch, Connolly Hall,
Lapps Quay, Cork

Respondent :

Not present or represented

The decision of the Tribunal was as follows:-

This case was listed for hearing on 16th April 2009. An application to postpone the case was made by the appellant's representative on 9th April 2009 as the appellant was on holidays in Poland and the Tribunal was told that he would be returning to Ireland after the Easter holiday. The respondent had given verbal consent to the postponement application. The application was granted and the case was re-listed for hearing on 23rd June 2009. The notice of hearing issued on 14th May 2009. The appellant did not attend the hearing however his representative who did attend told the Tribunal that after the notice of hearing was issued he tried making contact with the appellant but was unsuccessful. A few days prior to the hearing he again tried to contact him by telephone and the person who answered the call told him the appellant was not pursuing his case.

Determination:

As the appellant was not present at the hearing his appeal and claim are dismissed for want of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)