

**EMPLOYMENT APPEALS TRIBUNAL**

**CLAIM(S) OF:**  
EMPLOYEE - *claimant*

**CASE NO.**  
UD475/2009

against  
EMPLOYER - *respondent*

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr M. O'Connell B.L.

Members: Mr. M. Flood  
Ms M. Finnerty

heard this claim at Dublin on 27th October 2009

Representation:

Claimant: Black & Company, Solicitors, 28 South Frederick Street, Dublin 2

Respondent: Michael J. Kennedy & Co., Solicitors, The Parochial House,  
Parochial Avenue, Baldoyle, Dublin 13

The determination of the Tribunal was as follows:

**Determination**

The Tribunal noted that the application for relief was made outside the six-month period provided for in section 7(2) of the Unfair Dismissals amendment Act 1993.

The claimant's representative argued that exceptional circumstances prevented the lodging of the appeal within the six-month period. However the Tribunal was not convinced that the circumstances as outlined could be construed as exceptional circumstances within the meaning of the legislation.

Accordingly, the Tribunal decline jurisdiction to hear the case.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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