

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE - *claimant*

CASE NO.
UD222/2009
MN221/2009

Against
EMPLOYER - *respondent*
Under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. Gilvarry

Members: Mr. D. Morrison
Mr M. McGarry

heard this claim at Castlebar on 10th September 2009

Representation

Claimant: Michael O'Byrne, Solicitors, Kenlis Place, Kells, Co Meath

Respondent: Maggie O'Connor, Durcans Solicitors, Castlebar, Co. Mayo.

The determination of the Tribunal was as follows: -

The Tribunal was satisfied that notice of hearing had been duly served on the claimant. However, there was no appearance by him on the scheduled day of hearing. During the hearing of this case, it emerged that the claimant had been in contact with his representative on the 7th of September but had not been in contact since and failed to respond to his representatives attempts at communication.

Determination

The Tribunal finds that the claim under Unfair Dismissals Acts, 1977 to 2007 fails for want of prosecution. The claim under the Minimum Notice And Terms of Employment Acts, 1973 to 2005 can be re-entered by the claimant.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)