

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF

CASE NO.

EMPLOYER

UD1505/2009

against the recommendation of the Rights Commissioner in the case of:

EMPLOYEE

and

EMPLOYER

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J Flanagan BL

Members: Mr G Andrews
Mr J Dorney

heard this appeal at Dublin on 1st April 2010

Representation:

Appellant(s): In person

Respondent(s): XXXXX

The determination of the Tribunal was as follows: -

This case came before the Tribunal by way of an employer appealing against the Recommendation of a Rights Commissioner reference r-067789-ud-08 JOC

Determination

The case had been very substantially heard when the appellant employer decided to withdraw its appeal. The respondent employee then objected to the case being withdrawn at that stage. The Tribunal first ascertained that there were no other issues which needed to be heard and then

granted to both parties the opportunity to make submissions in writing in relation to the entitlement of the appellant to withdraw its claim at such a late stage. Subsequent to the hearing the respondent employee then wrote to the Tribunal withdrawing his objection. There being no longer any objection to the appellant employer's withdrawal of its appeal the Tribunal deems the appeal withdrawn and accordingly the decision of the Rights Commissioner dated 27th March 2009 is upheld.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)