

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE - *claimant*

CASE NO.
RP2536/2009
UD899/2009

MN930/2009

EMPLOYEE
- *claimant*

UD1020/2009
MN1924/2009

against

EMPLOYER

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005

I certify that the Tribunal
(Division of Tribunal)

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

Members: Mr. P. Casey
Mr J. Flavin

heard this claim at Cork on 14th September 2010

Representation:

Claimant: Mr. Kevin Hegarty, Solicitor, Brian Dillon House, Dillons Cross, Cork

Respondent: Mr. Conor O'Connell, Construction Industry Federation, Construction House, 4
Eastgate Avenue, Little Island, Cork

The determination of the Tribunal was as follows:-

Determination

On the day of the hearing the claimants' representative sought an adjournment, he explained that he

had incurred difficulties in contacting the claimants to put them on notice of the hearing date. Both the claimants now reside in Poland. He had successfully contacted them the Thursday beforehand but the claimants were unable to attend. This hearing had being postponed previously and on foot of this the claimants were aware that their cases would be heard in September. The respondent's representative opposed this application.

Determination

The Tribunal determines that that the claims under the Unfair Dismissals Acts, 1977 to 2007, the Minimum Notice and Terms of Employment Acts, 1973 to 2001 and the Redundancy Payments Acts 1967 – 2007 fail for want of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)