

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

EMPLOYEE

against
EMPLOYER

under

CASE NO.

MN365/2009

RP362/2009

- appellant

- respondent

**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: Mr J Flanagan BL
Members: Mr J O'Neill
Ms E Brezina

heard this appeal at Dublin on 21st September 2009

Representation:

Appellant(s): Mr Marcin Szulc, Maguire McClafferty, Solicitors,
8 Ontario Terrace, Portobello Bridge, Dublin 6

Respondent(s): Mr Breffni O'Neill, Construction Industry Federation,
Construction House, Canal Road, Dublin 6

The decision of the Tribunal was as follows: -

The appellant's representative had been contacted by the appellant and informed that the appellant would not be flying from Poland to Ireland for the hearing as the award, if granted, would not justify the costs of travel and legal representation. The Tribunal thanks the representative of the appellant for his attendance in these circumstances.

Determination:

The Tribunal finds that as the appellant is not present to give any evidence to support his case the claims under the Redundancy Payments Acts, 1967 to 2007 and the Minimum Notice and Terms of Employment Acts, 1973 to 2005 fail for want of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)