

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE

CASE NO.
UD2439/2009

- claimant

against
EMPLOYER

- respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. O'Leary B L

Members: Mr T. O'Grady
Ms. P. Ni Sheaghda

heard this claim at Dublin on 13th January 2011

Representation:

Claimant: In Person

Respondent: XXXXXXXX

The determination of the Tribunal was as follows: -

Preliminary Issue:

A preliminary issue was raised by the respondent in respect of the statutory time after the claimant's dismissal for lodging of the T1A form to the Employment Appeals Tribunal. The claimant resigned on April 30th 2008. The T1A form was lodged to the Employment Appeals Tribunal on October 21st 2009.

Determination:

This claim was lodged outside of the six-month time limit from the date of termination of employment imposed by the Unfair Dismissals Acts, 1977 to 2007. The Tribunal have the jurisdiction to extend the time limit for a further six months if they find that exceptional circumstances prevented the claimant from making a claim within the six months. However, there were no exceptional circumstances as described by the said Acts to cause this delay in this case and even if there were the claim would still have been out of time. The Tribunal, therefore, rules that it does not have jurisdiction to hear this case and the appeal necessarily fails.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)