

**EMPLOYMENT APPEALS TRIBUNAL**

**APPEAL(S) OF:**  
EMPLOYEE

**CASE NO.**  
UD1176/2009

- *Appellant*

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

- *Respondent*

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms C. Egan B.L.

Members: Mr. W. O'Carroll  
Ms H. Murphy

heard this appeal at Loughrea on 15th April 2010 and at Galway on 25<sup>th</sup> February 2011

**Representation:**

Appellant(s) : In Person

Respondent(s) : XXXXXX

The decision of the Tribunal was as follows:-

This case came before the Tribunal by way of an appeal by the employee (the appellant) against the recommendation of the Rights Commissioner ref. r-071950-ud-08.

**Determination**

The Tribunal heard evidence that the appellant lodged her appeal with the Rights Commissioner on 4 November 2008 approximately 9 months after her resignation from the respondent organisation. Having heard submissions from both parties the Tribunal is not satisfied that exceptional circumstances existed which prevented the appellant from lodging her appeal within the legislative time frame provided for under section 8.2(b) of the Unfair Dismissals Act 1977.

Accordingly the Tribunal upholds the recommendation of the Rights Commissioner.

Sealed with the Seal of the  
Employment Appeals tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)