

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE

CASE NO.
UD2589/2009

against

EMPLOYER

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms N. O'Carroll-Kelly B L
Members: Mr E. Handley
 Mr J. Flannery

heard this claim at Dublin on 24th March 2011

Representation:

Claimant : In person

Respondent: XXXXXXXXX

The determination of the Tribunal was as follows:

The secretariat of the Tribunal received the claimant's T1-A form on 18 November 2009. Among the details on that signed form was the date of termination of employment with the respondent. That was stated to have been in August 2008. In submissions to the Tribunal the claimant was unable to state when her original application under the Unfair Dismissal Acts was furnished to the Rights Commissioner office. It emerged it was more than six months subsequent to her cessation of employment but possibility less than twelve months. She explained that the late submission of that application was due to ongoing correspondence she was engaged in with the respondent.

The application to the Tribunal was outside the six-month period. No exceptional circumstances existed. The Tribunal declined jurisdiction to hear this case under the Unfair Dismissals Acts, 1967 to 2007 as no exceptional circumstances were presented which would have prevented the claimant from submitting her application to the Rights Commissioner within the specified time allowed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

