

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.
UD2320/2009

EMPLOYER - *appellant*

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

EMPLOYEE - *respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. E. Daly B.L.

Members: Mr. D. Morrison
Ms. R. Kerrigan

heard this appeal at Letterkenny on 6th October 2010

Representation:

Appellant(s) : Not Present or Represented

Respondent(s) : Ms. Fidelma Carron, Assistant Branch Organiser, Siptu, Port Road,
Letterkenny, Co Donegal

This case came before the Tribunal by way of an employer appealing against the Recommendation of the Rights Commissioner Ref: r-068964-ud-08/EOS.

The determination of the Tribunal was as follows:-

Determination:

This case came before a Division of the Tribunal in the Silver Tassie Hotel, Letterkenny on October 6th 2010. On that day the Tribunal were informed that a settlement was being considered. Consequently the Tribunal directed be set down for mention 10 months thereafter to be informed if the settlement had been implemented or not.

On October 11th 2011 the case came before the same Division of the Tribunal. Neither the appellant (employer) nor a representative on their part attended the "for mention" hearing. The Tribunal were informed the settlement had not been implemented and the time period given by the Tribunal had lapsed.

The Tribunal find the appeal fails under the Unfair Dismissals Acts, 1977 to 2007 for want of prosecution. Accordingly, the recommendation of the Rights Commissioners stands.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)