

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

CASE NO.

EMPLOYEE - **claimant**

UD428/2010

MN395/2010

WT181/2010

against

EMPLOYER -**respondent**

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. P. Clancy

Members: Mr. T.L. Gill
Mr. F. Dorgan

heard these claims at Castleconnell on 19 October 2011

Representation:

Claimant:

Mr. Kieran Mulcahy, Kieran Mulcahy Solicitors,
70 O'Connell Street, Limerick

Respondent:

Ms. Lucy Collins, Solicitor,
55 O'Connell Street, Limerick

The determination of the Tribunal was as follows:

Determination

The claimant's solicitor arrived for the hearing but the claimant was not in attendance. At around 2-40pm, some ten minutes after the scheduled start time for the hearing, the claimant's representative left the venue in order to go and collect his client, who was believed to be some fifteen minutes away from the venue by car. After an hour the secretary of the

Tribunal attempted to contact the claimant's representative at both his mobile and office phone numbers. Whilst contact was established with the representative's office it was not possible to make contact with the representative. At 4-15pm the Tribunal sat to hear the matter and, on the reluctant application made on behalf of the respondent, the Tribunal finds that the claims under the Unfair Dismissals Acts, 1977 to 2007, the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and the Organisation of Working Time Act, 1997 all fail for want of prosecution.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)