

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

EMPLOYEE- *claimant*

UD1697/2010

against

EMPLOYER - *respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Fahy BL

Members: Mr. W. O'Carroll

Ms H. Murphy

heard this claim at Galway on 15th March 2012

Representation:

Claimant(s) : Mr Patrick Keane, 9a Waterlane, Bohermore, Galway

Respondent(s) : Mr David McCarroll, RDJ Glynn, Solicitors, Aengus House,
Long Walk, Galway

Determination

In the first instance this claim was submitted to the Rights Commissioner Service on 3 June 2009. By way of letter dated 23 July 2009 the respondent objected to the matter being heard before a Rights Commissioner. The claimant accepts that he received communication from the Rights Commissioner Service sometime in August 2009 but did not know the particular date, indicating that the Rights Commissioner would not be dealing with the claim. The claimant did not lodge the claim under the Unfair Dismissals Acts with the Employment Appeals Tribunal until 7 July 2010 some 11 months later. The claimant could not put forward any exceptional circumstances which would allow the Tribunal extend time within Section 7 (2) (b) of the Unfair Dismissals Amendment Act 1993 to hear the claim. Therefore the Tribunal determines that it does not have jurisdiction to hear the claim.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

