

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE

CASE NO.
MN392/2009
WT168/2009

against
EMPLOYER

under

**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: Mr. P. O'Leary B L

Members: Mr. T. O'Sullivan
Ms. A. Moore

heard this claim at Monaghan on 9th May 2012

Representation:

Claimants: Richard Grogan & Associates, Solicitors, 16 & 17 College
Green, Dublin 2

Respondent: Mr Barry Healy, Barry Healy & Company, Solicitors, "Laurel
Lodge", Hillside, Monaghan

The decision of the Tribunal was as follows:-

Determination:

The Tribunal is satisfied that the above named claimant was duly notified of the hearing but failed to attend. The claims under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 and the Organisation of Working Time Act, 1997 are dismissed for want of prosecution. The claimant in failing to prosecute his claim by not appearing at the hearing forced the witness for the respondent to attend and incur expenses in so doing. Therefore the Tribunal award costs of €120 to this witness as provided for in the legislation.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

