

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:  
EMPLOYEE

CASE NO.  
TU13/2007

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

EMPLOYER

under

**PROTECTION OF EMPLOYEES ON TRANSFER OF UNDERTAKINGS REGULATIONS  
2003**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr P. O'Leary B L

Members: Mr P. Pierson  
Ms A. Moore

heard this appeal at Cavan on 19th July 2012

Representation:

\_\_\_\_\_

Appellant: Mr Niall Phillips, SIPTU, Liberty Hall, Dublin 1

Respondent: No appearance

**Determination**

The representative advised the Tribunal that the appellant was not in the jurisdiction and unable to travel. As there was no appearance by or on behalf of the appellant, the appeal under the Protection of Employees on Transfer of Undertakings Regulations 2003 fails for lack of prosecution. Accordingly, the Tribunal upsets the decision of the Rights Commissioner ref: r-044740-tu-06/JT.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)

