

## EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:  
EMPLOYEE

CASE NO.  
UD460/2011

against

EMPLOYER

under

**UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms S. McNally

Members: Ms M. Sweeney  
Mr J. Flavin

heard this claim at Cork on 23rd July 2012

### **Representation:**

Claimant :

Respondent :

The determination of the Tribunal was as follows:

A notice of hearing was sent to all relevant parties on 21 June 2012.

An application to postpone this hearing made on behalf of the claimant on 11 July 2012 was refused by a division of the Tribunal.

On the day of the hearing the respondent, its representative, and the claimant's representative appeared. The Tribunal is satisfied that the claimant was properly notified of this hearing. He neither appeared for the hearing, nor through his representative nor by any other means, communicated with the Tribunal to account for his absence. The Claimant's representative while engaging fully with this case was unable to state whether the claimant would, at a future date, appear for a hearing.

Having considered the circumstances of this case the Tribunal dismisses the claim under the Unfair Dismissals Acts, 1977 to 2007 for want of prosecution.

The Tribunal also accedes to the respondent's request for reasonable costs to be levied against the

claimant. The Tribunal, therefore, orders that the claimant pay the respondent the sum of sixty-one euro (€61.00) to cover expenses incurred on their part in the participation of this claim.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

(CHAIRMAN)

