

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE

-claimant

against

EMPLOYER

-respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr R. Maguire, B.L.

Members: Mr D. Peakin
Mr C. Ryan

heard this claim at Dublin on 9th May 2012
and 3rd July 2012

Representation:

Claimant: In person on May 9th 2012
Not Present or Represented on July 3rd 2012

Respondent:

The determination of the Tribunal was as follows:-

Background:

At the commencement of the hearing on May 3rd 2012 the claimant advised the Tribunal and the respondent that he had changed address and was now residing in Poland.

On that day evidence was adduced on behalf of two of the respondent's witnesses. As there were a number of witnesses and the claimant still to be heard, the case was adjourned. The date of July 3rd 2012 was agreed and diaried by the Tribunal and both parties in this case. Notification of the resumed date was sent by registered post to the claimant and the respondent on June 5th 2012. It was also sent on the same date by ordinary post to the respondent's representative.

The registered postal notice of the resumed hearing sent to the claimant was returned to the Secretariat. The notice of hearing was posted again, by ordinary post, to the claimant at his Polish address. On July 3rd 2012 the respondent and their representative attended Davitt House for the resumed hearing. Neither the claimant or a representative on his behalf attended. Neither was there any correspondence received from same. An application was made by

he respondent's representative to have the claim struck out.

Determination:

The Tribunal considered the application and determined the claim under the Unfair Dismissals Acts, 1977 to 2007 fails for what of prosecution.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)