

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE,

(claimant)

CASE NO.

UD1562/2011

Against

EMPLOYER(*respondent*)

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr J. Revington S.C.

Members: Mr P. Pierce
Mr. S. O'Donnell

heard this claim at Dublin on 8th January 2013 and 2nd April 2013

Representation:

Claimant(s) : In person

Respondent(s) :

The determination of the Tribunal was as follows:

At the outset of the hearing, the employer representative indicated to the Tribunal that the claim was outside the six month time limit available under the Unfair Dismissal legislation.

The claimant stated that he could not recall any exceptional circumstances for the lateness of his claim. He said he was not a member of a union and had not sought legal advice on the matter.

The employer representative stated that the claim should be struck out by the Tribunal, given that the claimant had just stated that there were no exceptional circumstances to be put forward.

After considering the matter, the Tribunal indicated that the case would be adjourned until 2nd April, 2013 to allow the claimant the opportunity to seek legal advice on the matter.

At the hearing on 2nd April, 2013 the claimant requested a postponement on the basis that he was unable to obtain representation for the current hearing. The postponement was refused and as the claimant did not put forward any exceptional circumstances such that prevented him from bringing the complaint within the appropriate time, the Tribunal, therefore rules that it does not have jurisdiction to hear this case and the claim under the Unfair Dismissals Acts, 1977 to 2007, necessarily fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)