

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

- claimant

RP314/2012

UD392/2012

MN339/2012

WT147/2012

Against

EMPLOYER - respondent

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007
UNFAIR DISMISSALS ACTS, 1977 TO 2007
ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr R. Maguire, B.L.

Members: Mr D. Peakin
Mr F. Barry

heard this claim at Dublin on 29th May 2013.

Representation:

Claimant:

Respondent:

The determination of the Tribunal was as follows:-

Determination:

On 28th May 2013, Mr. Luke Downes, the claimant's father made an application before a Division of the Tribunal to postpone the claimant's case listed for hearing on the following day, 29th May 2013. The reason given was that the claimant was working abroad. The Division refused the postponement application on that day.

On 29th May 2013 Mr. Downes renewed his application to have the case postponed. The respondent opposed that application.

The Division adjourned to consider the matter. The Division granted the postponement of the

case in the particular circumstances and adjourned the case until 16th December 2013 on condition that the claimant contact the Tribunal on or before 15th July 2013 to confirm his attendance on 16th December 2013 otherwise the claimant's case would be dismissed.

The secretariat of the Tribunal received a letter on 15th July 2013 from the claimant's father indicating that the claimant would not be in the country on the adjourned date of 16th December 2013.

The Tribunal dismisses the claims under the Redundancy Payments Acts, 1967 to 2007, the Minimum Notice and Terms of Employment Acts, 1973 to 2005, the Unfair Dismissals Acts, 1977 to 2007 and the Organisation of Working Time Act 1997 for want of prosecution.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)