

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE *– appellant*

UD47/2012

Appeal of the recommendation Rights Commissioner in the case of

EMPLOYER *-respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr T. Taaffe

Members: Mr F. Cunneen
 Mr G. Whyte

heard this claim at Trim on 14th January 2013 and 26th June 2013

Representation:

Appellant:

Respondent:

The determination of the Tribunal was as follows:-

This case came before the Tribunal as an appeal by an employee of the recommendation of the Rights Commissioner reference number r-096504-ud-10/JW.

A preliminary issue arose in relation to this appeal. The Rights Commissioner's recommendation in this case is dated 30 March 2011. However the T1-B form was received by the Tribunal on 17 January 2012, outside the statutory period in which an appeal may be lodged.

The appellant told the Tribunal that he signed the T1-B on 12 April 2011 and that it was forwarded to the Tribunal by his union representative.

The Tribunal adjourned the appeal hearing to give the appellant time to look for evidence that his appeal was lodged within the statutory time limit.

At the resumed hearing on 26th June 2013, the appellant was unable to put forward any evidence

that his appeal was lodged with the Tribunal within the statutory time limit of six weeks. The Tribunal, therefore, rules that it does not have jurisdiction to hear this case and the appeal necessarily fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)