

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF: Employee

CASE NO.
UD1232/2008, MN1144/2008
WT507/2008

against

Employer

Under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. Clancy

Members: Mr. M. Forde
 Mr. T. Kennelly

heard this claim at Limerick on 19th June 2009

Representation:

Claimant : Mr Patrick Whyms B L instructed by
 P.A. Martin & Co., Solicitors, 11 Lower Hartstonge Street, Limerick

Respondent : Mr. Killian O'Reilly, O'Rourke Reid, Law Firm, Pepper Canister House,
 Mount Street Crescent, Dublin 2

The determination of the Tribunal was as follows:

The Tribunal is satisfied that the claimant was properly notified of this hearing. She neither appeared for this hearing nor contacted the Tribunal in connection with that non-appearance. Her legal team were present but had no instructions from their client. Their efforts to contact the claimant also proved fruitless.

Having heard submissions from both sides the Tribunal dismisses the claim under the Unfair Dismissal Acts, 1977 to 2007, and the appeals under the Minimum Notice and the Terms of Employment Acts, 1973 to 2005 and the Organisation of Working Time Act, 1997 for want of prosecution.

Since there was no clear evidence that the claimant's application to the Tribunal was frivolous or vexatious the Tribunal does not accede to the respondent's application for costs.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

