

**EMPLOYMENT APPEALS TRIBUNAL**

Appeal(s) Of:  
Employee  
MN38/2008  
against  
Employer

Case No.  
RP44/2008

under

**REDUNDANCY PAYMENTS ACTS, 1967 TO 2003**  
**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. P. O'Leary B L  
Members: Mr J. Hennessy  
Ms. E. Brezina

heard this appeal at Carlow on 29th April 2008

**Representation:**

Appellant: In person

Respondent: Mr. Gerald Meaney, Solicitors, 17A William Street, Kilkenny

**The decision of the Tribunal was as follows:**

The Tribunal heard that the appellant, having been laid off for a period of four consecutive weeks, had not served his employer with an RP9 form as set out under Section 12(1) of the Redundancy Payments Act, 1967. Therefore the Tribunal finds that the appeal under the Redundancy Payments Acts, 1967 to 2003, must be dismissed.

The Tribunal having found that a dismissal did not occur in relation to the appellant's employment finds that the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2001, must fail.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)