

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE -Appellant

RP1216/2008

against

EMPLOYER -Respondent

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr. D. MacCarthy S. C.

Members: Mr. J. Hennessy  
Ms. P. Ni Sheaghda

heard this appeal at Carlow on 29th May 2009

#### **Representation:**

Appellant: In Person

Respondent: Ms T. Barry, Fitzpatrick O'Dwyer, Clonmoney House,  
Newenham Street, Limerick

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

The appellant stated that the respondent ceased trading on the 1<sup>st</sup> June 2002 but did not enter into liquidation until some three years later. The appellant stated he had submitted a claim for a redundancy payment to the respondent and to the liquidator. Neither the appellant nor Ms B (on behalf of the liquidator) could produce a copy of his original claim.

#### **Determination:**

The appeal under the Redundancy Payments Acts, 1967 to 2007, is statute barred as the appeal was lodged outside the time limit set down in S.24 of the Redundancy Payments Act 1967 (as amended by S. 12(2) of the Redundancy Payments Act, 1971.)

The Tribunal did give the appellant the opportunity to produce, subsequent to the hearing, some

evidence, of a written claim made within that time under S. 24(b) but no such evidence was produced. The Tribunal dismisses the appeal under the Redundancy Payments Acts, 1967 to 2007.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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