

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP292/2010

against
EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. Clancy

Members: Mr. W. O'Carroll
Mr T. Kelly

heard this appeal at Limerick on 25th June 2010

Representation:

Appellant:

The appellant in person

Respondent(s) :

Jim Healy, IBEC Mid West, Gardner House, Bank Place, Charlottes Quay, Limerick.

The decision of the Tribunal was as follows:-

This appeal was lodged with the Tribunal more than one year but within two years after the date of termination of employment. The Act specifies that in order for an appeal to be heard by the Tribunal it must be lodged within one year. However if the Tribunal is satisfied that there was reasonable cause for filing the appeal after one year the Tribunal may extend this period to two years. Therefore the Tribunal had to decide upon the preliminary issue of whether it had jurisdiction to hear this case.

Appellant's case

The appellant stated that he was not aware of the time limits applicable and only became aware of a possible entitlement to a redundancy lump sum payment when he later received advice. He felt he was now entitled to a redundancy lump sum payment under the above Acts.

Respondent's case

The respondent held that not having knowledge of time limits is not reasonable cause for late filling of application.

Determination

Having considered the preliminary issue the Tribunal finds there is no reasonable cause that would allow for an extension of the time limit and therefore declines jurisdiction in this case.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

