

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE
-Appellant

CASE NO.
RP367/2010

against

EMPLOYER
-Respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. F. Crawford B.L.

Members: Mr. T. O'Sullivan
Mr. S. O'Donnell

heard this appeal at Dublin on 21st October 2010

Representation:

Appellant: In Person

Respondent: No appearance or representation on behalf of the respondent.

The decision of the Tribunal was as follows:

The appellant's employment had terminated on 29th December 2007. He submitted form T1A to the Tribunal on 18th December 2009. The appellant outlined that he had not submitted this form within the stipulated 52-week time limit as he was in contact with the respondent's Human Resources department regarding his redundancy. The respondent company subsequently entered into liquidation in November 2009. The appellant sought his redundancy payment from the liquidator without success. The appellant subsequently submitted form T1A to the Tribunal on 18th December 2009. He applied to the Tribunal to extend the time limit for the appeal.

Determination:

The Tribunal is satisfied from the circumstances outlined that reasonable cause existed to prevent the appellant from lodging his appeal within the stipulated 52-week time limit. The Tribunal finds that reasonable cause having been shown, it has jurisdiction to extend the time limit to 104 weeks as set out under S. 12 of the 1971 Act.

Based on the appellant's uncontested evidence the Tribunal awards the appellant a lump sum

payment under the Redundancy Payments Acts, 1967 to 2007, based on the following criteria:

Date of Birth:	02 nd January 1952
Date of Commencement:	30 th October 1968
Date of Termination:	29 th December 2007
Gross Weekly Pay:	€1,507.40

It should be noted that payments from the social insurance fund are limited to a maximum of €600.00 per week.

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)