

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
RP1739/2009

-Appellant

against
EMPLOYER

-Respondent

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms O. Madden B.L.

Members: Mr D. Peakin
Mr F. Keoghan

heard this appeal at Dublin on 18th May 2010

Representation:

Appellant: Mr. Colm Carey BL instructed by Ms Julie Coyne Solicitor
Colm O'Cochlain & Company, Solicitors, First Active House,
Blessington Road, Tallaght Village, Dublin 24

Respondent: In person

Determination:

The Tribunal have considered the evidence and are accepting the employer's evidence that the job was there; the employer offered the job to the appellant and the appellant refused the offer. The Tribunal finds that based on the facts, that there was a genuine job offer made by the employer to the appellant. On that basis it was always open to the appellant to accept the offer. The appellant having refused the offer the employer employed someone else to do the job.

The appeal under the Redundancy Payments Acts, 1967 to 2007, fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

