

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE -*Appellant*

CASE NO.

RP3227/2010

against
EMPLOYER -*Respondent*

under
REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms D. Donovan B.L.
Members: Mr J. Browne
 Ms S. Kelly

heard this appeal at Carlow on 15th July 2011

Representation:

Appellant: In Person

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

The decision of the Tribunal was as follows:

The appellant had been working for the respondent for some seven years when his employment was terminated on the 3rd October 2008. The appellant did not submit a claim form to the Tribunal until the 4th November 2010, which was over two years since his employment had terminated.

Determination:

The time limit for receipt of such claims is stipulated by the legislation as 52 weeks, extendable to 104 weeks where reasonable cause is demonstrated as the reason for the delay. However, the Tribunal does not have jurisdiction to extend the time limit beyond 104 weeks from the date of termination. Even in considering the duration of minimum notice due to the appellant, his claim falls outside of the 104-week time limit. Accordingly, the appeal under the Redundancy Payments Acts, 1967 to 2007, must fail for want of jurisdiction.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)