

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

-Appellant

CASE NO.

RP2427/2010

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. Hennessy
Mr. F. Dorgan

heard this appeal at Waterford on 24th August 2011

Representation:

Appellant: Dobbyn & McCoy, Solicitors, 4/5 Colbeck Street, Waterford

Respondent: A director of the former company.

The decision of the Tribunal was as follows:

A Rights Commissioner heard a claim by the appellant against the respondent under the Unfair Dismissals Acts, 1977 to 2007. The Rights Commissioner issued a recommendation (reference r-074901-ud-09/JOC) finding in favour of the appellant and awarding him the sum of €6,000. The Tribunal subsequently implemented the recommendation under reference UD162/2010.

At the hearing on 24th August 2011, the appellant stated that he believed he was also entitled to a redundancy lump sum payment.

Determination:

The Tribunal having found that a Rights Commissioner's recommendation under the Unfair Dismissals Acts, 1977 to 2007 had been issued and implemented, finds that it does not have jurisdiction to also hear an appeal under the Redundancy Payments Acts, 1967 to 2007, as the Acts are mutually exclusive. The appeal is therefore dismissed.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____
(Sgd.) _____
(CHAIRMAN)