

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

(appellant)

RP1792/2010

Against

EMPLOYER

(respondent)

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms B. Glynn

Members: Mr P. Pierson
Mr T. Gill

heard this appeal at Carrick-On-Shannon on 15th April 2011

Representation:

Appellant(s) :

McGovern Walsh & Co, Solicitors, 5 Hamilton House, Main
Street, Manorhamilton, Co Leitrim

Respondent(s) :

Mr. Michael Crawford, Michael Crawford & Co., Solicitors,
Manorhamilton, Co. Leitrim

The decision of the Tribunal was as follows:.

At the outset, it was noted by the Tribunal that the application was made outside of the twelve month requirement under the Redundancy Acts.

The respondent was not disputing the claim.

Giving evidence the claimant stated that he was not aware that the application had to be made within a twelve month period. His employment ended due to the downturn. He applied to the respondent on numerous occasions for his redundancy and was told that the money was not available. The respondent gave the claimant no idea as to when he would receive his redundancy. The RP50 was sent in April/May 2009. The claimant was told by the Department that he had two

years to apply.

Determination

The Tribunal considers that there was reasonable cause for extending the time limit in which the application could be made. The respondent conceded that a redundancy situation existed. The Tribunal awards the appellant a redundancy lump sum under the Redundancy Payments Acts, 1967 to 2003 based on the following criteria:

Date of Birth:	3 May 1985
Date of Commencement:	8 April 2001
Date of Termination:	8 October 2008
Gross Pay:	€550

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)

