

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:  
EMPLOYEE-Claimant

CASE NO.  
MN1341/2010  
RP1889/2010

Against

EMPLOYER-Respondent

under

### MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms D. Donovan

Members: Mr T. Gill  
Mr T. Brady

heard this appeal at Tullamore on 23rd September 2011

Representation:

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Appellant:

Respondent: In person

*The decision of the Tribunal was as follows:-*

#### **Preliminary Issue:**

The appellant's representative made an application to amend the T1A from HDE Construction to Patrick Daly. This was objected to by the respondent.

#### **Determination:**

Appeals under the Redundancy Payments Acts, 1967 to 2007 must be submitted to the secretariat of the Employment Appeals Tribunal within fifty-two weeks of the appellant's date of termination. Appeals, lodged after the aforesaid period but within the period of one hundred and four weeks from the date of dismissal, may be considered subject to the appellant demonstrating reasonable cause for the delay in furnishing such an application within the statutory time limit.

The Tribunal is not satisfied that the appellant demonstrated reasonable cause for the delay in order for the Tribunal to exercise its discretion to extend time.

Accordingly, the appeal under the Redundancy Payments Acts 1967 to 2007 is statute barred.

In the circumstances the Tribunal finds it unnecessary to make a determination as to whether to allow the respondent's name to be amended in the T1A.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)

