

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE -*Appellant*

CASE NO.
RP539/2011
MN414/2011

against

EMPLOYER -*Respondent*

under

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

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr N. Russell

Members: Mr J. Hennessy
 Mr F. Dorgan

heard this appeal at Kilkenny on 23rd January 2012

Representation:

Appellant: In Person

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

The decision of the Tribunal was as follows:

The appellant applied to the Tribunal to extend the time period set down by the Acts from 52 weeks to 104 weeks. The appellant outlined that the delay in lodging the appeal was due to the fact that he had brought a claim to the Rights Commissioners service under the Payment of Wages Act, 1991 which he believed included his appeal for a redundancy payment.

Determination:

The Tribunal finds that reasonable cause existed and extends the time period for the appeal under the Redundancy Payments Acts, 1967 to 2007. Based on the appellant's uncontested evidence the Tribunal is satisfied that he is entitled to a lump sum payment based on the following criteria:

Date of Birth: 17th November 1982
Date of Commencement: 5th March 2007
Date of Termination: 21st March 2009
Weekly Gross Pay: €576.92

This award is made subject to the appellant having been in insurable employment under the Social Welfare Acts during the relevant period.

The Tribunal dismisses the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005, as this matter was heard by the Rights Commissioner's service under the Payment of Wages Act, 1991 (decision reference: r-078240-pw-09/EH).

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)