

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:

CASE NO.

EMPLOYEE

RP2598/2010

against  
EMPLOYER  
under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. E. Daly B.L.  
Members: Mr. D. Morrison  
Ms. R. Kerrigan

heard this appeal at Letterkenny on 10th January 2012

Representation:

Appellant: Paddy Hannigan, C.I.C. Blaney Road, Letterkenny, Co. Donegal

Respondent: No appearance by or on behalf of the respondent

There was no appearance by or on behalf of the respondent and the Tribunal is satisfied that they were properly notified of the hearing.

#### **Appellant's case**

The appellant lodged this appeal beyond 12 months but within 24 months of the date of dismissal. He applied to the Tribunal to allow an extension of the time limit to 24 months on the grounds that there was reasonable cause for his late application. The appellant was made redundant on 26<sup>th</sup> August 2009 and the respondent delayed completing the form RP50 until 22<sup>nd</sup> February 2010, at which time he informed the appellant that he was unable to pay him. The respondent completed the form RP50 to this affect and told the appellant that he would send it to Redundancy Payments Section and they would pay him from the Social Insurance Fund. The appellant took the respondent at his word and it was not until he called to the Citizens Information Centre in August 2010 that he was informed that the respondent had not submitted the RP50 to the Redundancy Payments Section. It was then that the appellant submitted his appeal to the Employment Appeals Tribunal.

The appellant commenced employment with the respondent on 15<sup>th</sup> November 2004 and was made redundant on 25<sup>th</sup> June 2009. At the date of dismissal the appellant was earning €335.00 gross per week.

#### **Determination**

The Tribunal is satisfied that there was reasonable cause for the late submission of this appeal and therefore extends the time limit to 24 months. Having considered the uncontested evidence of the appellant The Tribunal awards him a lump sum redundancy payment under the Redundancy Payments Acts, 1967 to 2007 based on the following criteria.

DOB	24 <sup>th</sup> September 1982
Commencement Date	15 <sup>th</sup> November 2004
Date notice received	N/A
Termination date	25 <sup>th</sup> June 2009
Gross pay	€335.00

This award is made subject to the claimant having been in insurable employment, during the relevant period, in accordance with the Social Welfare Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

