

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
EMPLOYEE - *appellant*

CASE NO.  
RP1833/2010

against  
EMPLOYER – *respondent No 1*

EMPLOYER – *respondent No 2*

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J. Fahy BL

Members: Mr. W. O'Carroll  
Ms H. Henry

heard this appeal at Galway on 18th November 2011  
and 7th February 2012

Representation:

\_\_\_\_\_

Appellant(s) : In Person

Respondent(s) : Respondent No 1 – In Person

Respondent No 2 – No appearance by or on behalf of.

### Determination

The Tribunal is satisfied that all parties were properly notified of the hearing. At the outset of the hearing the Tribunal established that the correct respondent in the proceedings was respondent No 2. Accordingly the Tribunal released respondent No 1 from the proceedings.

The appellant gave uncontroverted evidence that he was let go from his employment on 27 June 2008. For some time thereafter there was communication between himself and respondent No 2 where the appellant genuinely believed that he would be returning to work for respondent No 2. The appellant did not submit his claim within the one year time period to the Tribunal as laid down in the Redundancy Payments Acts because he genuinely believed he would be returning to work, but this never materialized. On this basis the Tribunal extends the time period allowed for the appellant to bring his claim before the Tribunal as permitted by section 24 (2A) of the Redundancy Payments Acts 1967 to 2007.

The Tribunal is satisfied that the appellant was dismissed by reason of redundancy and awards him a lump sum payment under the Redundancy Payments Acts 1967 to 2007 based on the following information:

Date of Birth:	25 August 1981
Date of commencement of employment:	14 January 2002
Date of termination of employment:	27 June 2008
Gross weekly pay:	€600.00

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)

