

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

RP2535/2010

Against

EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. M. Gilvarry

Members: Mr. D. Morrison
Mr. M. McGarry

heard this appeal at Castlebar on 6th March 2012

Representation:

Appellant:

Ms Teresa Carney, Citizens Information Centre,
Cavendish Centre House, Link Road, Castlebar, Co Mayo

Respondent:

The respondent in person

Background

The appellant worked as a Special Needs Assistant in two different schools. There was a dispute between the parties as to who was the employer. The respondent stated that the employers were the schools in which the appellant was employed and the appellant held that she was employed by the respondent. However it was common case that the appellant had been paid an amount greater than her statutory redundancy entitlement would have been even if she were deemed to have had continuity of employment from one school to the other.

Determination

It was common case that the redundancy lump sum paid to the appellant was in excess of her statutory entitlement and even if the appellant succeeded, this was more than the amount the Tribunal has jurisdiction to award. Therefore, in all the circumstances this appeal under the Redundancy Payments Acts, 1967 to 2007 fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)