

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE –**Appellant**

RP2511/2011

against

EMPLOYER –**Respondent**

under

### REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms O. Madden BL

Members: Mr J. Browne  
Ms S. Kelly

heard this appeal at Portlaoise on 24 July 2012

#### **Representation:**

Appellants:

In person

Respondent:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

#### **Determination:**

The respondent was dissolved on 24 February 2012 and consequently no longer has a legal personality. The appellant last worked for the respondent on 28 October 2008. His evidence was that, despite being in receipt of Social Welfare payments from 2008, he had continued to price jobs on behalf of the respondent until sometime in 2011 but had received no pay for carrying out these tasks.

The appeal for a lump sum payment under the Redundancy Payments Acts was lodged with the Tribunal on 29 September 2011. The Acts provide at Section 24 a period of 52 weeks from the date of dismissal in which to lodge a claim for a lump sum payment. This can be extended to 104 weeks if reasonable cause can be shown.

In the instant case the Tribunal is satisfied that the appellant was dismissed on 28 October 2008. As 29 September 2011, the date on which the claim was lodged with the Tribunal, was more than 104 weeks after the date of dismissal it follows that the appellant is not entitled to a lump sum payment

under the Redundancy Payments Acts, 1967 to 2007.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

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