

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

UD2443/2011

against

EMPLOYER

EMPLOYER

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. M. Levey B.L.

Members: Mr. L. Tobin

Ms. E. Brezina

heard this claim at Dublin on 11th October 2012

Representation:

Claimant:

The claimant in person

Respondent:

The respondent in person

Preliminary issue

This claim was lodged with the Tribunal on 19th April 2011. The claimant's employment, with the respondent, terminated on 27th April 2010. Therefore the claim was lodged beyond the six month limit specified in the Act. However the claimant requested that the Tribunal extend this time limit, as allowed for in the Act.

The claimant had made a previous appeal to the Tribunal under the Redundancy Payments Acts, 1967 to 2007 and this appeal was heard by the Tribunal on 5th April 2011. The claimant stated that she was relying on the advice of the Citizen Information Centre when she took that appeal to the Tribunal and when it failed she decided to take a claim under the Unfair Dismissals Acts 1977 to 2007. However by this time it was more than 6 months since her employment had been terminated.

Determination

The claimant did not lodge this claim within the specified 6 month period. The Tribunal considered the claimant's reasons for not doing so and finds that there were no exceptional circumstances preventing her from lodging the claim within 6 months of termination of her employment. Therefore the Tribunal declines jurisdiction of this case.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)