

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYEE - **Appellant**

RP2725/2011
MN2153/2011
WT861/2011

against

EMPLOYER - **Respondent**

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007 MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005 ORGANISATION OF WORKING TIME ACT, 1997

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. Gilvarry

Members: Mr D. Morrison
Ms A. Moore

heard these appeals at Sligo on 3 October 2012

Representation:

Appellant:

In person

Respondents:

No appearance by or representation on behalf of the respondent

The determination of the Tribunal was as follows:

Determination:

A former director of the respondent appeared before the Tribunal and asserted that the appellant had left the employ of the respondent in 2008. He produced a form P45 in support of this assertion. In circumstances where the appellant accepted that his employment came to an end in 2008 and the form T1A was received by the Tribunal on 7 November 2011 the appeals under both the

Redundancy Payments Acts, 1967 to 2007 and the Organisation of Working Time Act, 1997 are out of time and the Tribunal has no jurisdiction to hear them. In circumstances where the appellant could not recall if he received notice of termination the claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 must fail.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)