

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

-appellant

CASE NO.
RP1768/2011

against
-respondent

Under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms P. McGrath B.L.

Members: Mr M. Carr
Mr N. Dowling

heard this appeal at Trim on 2nd November 2012

Representation:

Appellant: In Person

Respondent: No appearance or representation on behalf of

Background

The appellant commenced employment with the respondent in 1999. The appellant was not happy in her position so inquired about a position in the accounts department. As there was no position available she resigned from her employment in January 2006. Approximately 5 weeks later a position arose in the accounts department and the appellant was offered and accepted the position. She continued to work for the respondent until her position was made redundant when the respondent closed in July 2010.

The appellant was paid a redundancy lump sum based on her service from January 2006 until July 2010. Her application to the Tribunal is to have her redundancy calculated based on her start date of 1999.

Determination

The Tribunal, having carefully considered the evidence, find that as the appellant voluntarily resigned from her employment in January 2006 she cannot claim to have continuous service for the purposes of a redundancy lump sum. The appeal under the Redundancy Payments Acts, 1967 to 2007 fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)