

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM(S) OF:

EMPLOYEE - *claimant*

CASE NO.  
RP1260/2011

UD907/2011  
MN1045/2011  
WT381/2011

against

EMPLOYER - *respondent*

under

**MINIMUM NOTICE AND TERMS OF EMPLOYMENT ACTS, 1973 TO 2005**  
**REDUNDANCY PAYMENTS ACTS, 1967 TO 2007**  
**UNFAIR DISMISSALS ACTS, 1977 TO 2007**  
**ORGANISATION OF WORKING TIME ACT, 1997**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr P. Hurley

Members: Mr J. Hennessy  
Mr F. Dorgan

heard this claim at Thurles on 11th December 2012

Representation:

Claimant(s) : Ms Victoria Petit, H.R Consultant, NSC Campus, Mahon, Cork.

Respondent(s) : No appearance by or on behalf of respondent

**Determination**

The Tribunal is satisfied that both parties were on notice of the hearing.

The claimant's employment was terminated on 17 June 2010 and the claimant's T1A form was received in the Tribunal secretariat on 15 April 2011 which was outside of the 6 month time limit prescribed under the Unfair Dismissals Acts. The Tribunal after hearing evidence from the claimant is satisfied that no exceptional circumstances existed which prevented the claimant from lodging this claim within the aforesaid 6 months time limit. Accordingly the Tribunal finds that it has no jurisdiction to hear the claim under the Unfair Dismissals Acts 1977 to 2007.

The Tribunal heard further evidence in relation to the claim under the Redundancy Payments

Acts and the Tribunal finds that on the facts presented no redundancy situation was proven and this claim fails.

No evidence was adduced in relation to the claim under the Organisation Time Act 1997 and accordingly the Tribunal finds that this claim fails.

The Tribunal finds that the claim under the Minimum Notice and Terms of Employment Acts 1973 to 2005 succeeds and awards the claimant the sum of €2262.00, this sum being the equivalent of four weeks pay under the said Act.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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