

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

CASE NO.
RP1005/2011

against

EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. J. McGovern BL

Members: Mr. E. Handley
Mr. F. Keoghan

heard this appeal in Dublin on 15 August 2012

Representation:

Appellant(s):

No legal or trade union representation

Respondent(s):

Ms. Audrey Kennedy, Martin A. Kennedy & Co., Solicitors,
The Diamond, Malahide, Co. Dublin

The decision of the Tribunal was as follows:-

The appellant did not deny that the respondent had conceded his entitlement to a redundancy lump sum. However, he alleged that the respondent had promised him an enhanced redundancy package.

The respondent's case was that the appellant had been entitled to his statutory redundancy lump sum and no more.

Determination:

As said verbally to the appellant by the Tribunal at the Tribunal hearing, the Tribunal does not have the power to look into alleged agreements to make payments in addition to statutory redundancy lump sums.

Therefore, the Tribunal has no alternative but to find that the appeal under the Redundancy

Payments Acts, 1967 to 2007, fails.

Note: the Tribunal allowed time after this hearing in order for the appellant to receive his statutory redundancy payment which was said to have been going through a queuing system. However, given that the Tribunal was not told of any subsequent difficulty with the payment of the statutory lump sum, the Tribunal now makes its formal written determination to confirm that it does not have the power to look into alleged agreements to pay an enhanced redundancy lump sum rather than the statutory amount.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)