

EMPLOYMENT APPEALS TRIBUNAL

CLAIMS OF:

EMPLOYEE - *Claimant*

against

EMPLOYER – *Respondent*

under

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

CASE NO.

UD1716/2012

RP1225/2012

MN1630/2011

WT624/2011

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr P. Wallace

Members: Mr W. O'Carroll
Ms H. Henry

heard these claims at Ennis on 11th April 2013

Representation:

Claimant: Mr Matthew Ryan, Templeberry, Nenagh, Co Tipperary

Respondent: Arthur Cox, Solicitors, Earlsfort Centre, Earlsfort Terrace, Dublin 2

The determination of the Tribunal was as follows:-

Determination:

The claimant's employment terminated on 29th May 2008. His claims under the Unfair Dismissals Acts, the Redundancy Payments Acts, the Minimum Notice and Terms of Employment Acts and the Organisation of Working Time Act were all lodged with the Tribunal on 22nd July 2011. It was accepted on behalf of the claimant that he had resigned from his position with the respondent

The time limit for making claims under these Acts varies but the longest period after termination of employment is the 104 weeks, assuming reasonable cause prevented lodgement within 52 weeks, allowed under the Redundancy Payments Acts. Accordingly the Tribunal is satisfied that claims under the Unfair Dismissals Acts, 1977 to 2007, the Redundancy Payments Acts, 1967 to 2007 and the Organisation of Working Time Act, 1997 are statute barred such that there is no jurisdiction to hear the claims under those Acts.

It being accepted that the claimant resigned his position a claim under the Minimum Notice and Terms of Employment Acts, 1973 to 2005 does not arise.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)