

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
Employee

CASE NO.
TE22/2007

for implementation of the recommendation of the Rights Commissioner
in the case of:

Employer

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. M. Levey

Members: Mr F. Moloney
Mr C. Ryan

heard this appeal at Dublin on 24th April 2007

Representation:

Appellant : Mr. Alan Breen, 262 Castlecurragh Heath, Mulhuddart, Dublin 15

Respondent : No representation listed

The decision of the Tribunal was as follows:

This case came before the Tribunal by way of implementation from a Rights Commissioner's recommendation reference r-044460-te-06/TB.

The decision of the Tribunal was as follows:

The Tribunal is satisfied that the respondent was properly notified of this case. Neither the respondent nor a representative on its behalf appeared for this hearing.

Section 8 (6) (a) of the Terms of Employment (Information) Act, 1994 states:

“Where a recommendation of a rights commissioner in relation to a complaint under this Act has not been carried out by the employer concerned in accordance with its terms, the time for bringing an appeal against the recommendation has expired and no such appeal has been brought, the Tribunal shall, without hearing the employer concerned or any evidence (other than in relation to the aforesaid matters), make a determination to the like effect as the recommendation.”

The Tribunal is satisfied that the time allowed for an appeal in this case has elapsed and notes that no appeal has been lodged. Accordingly, the Tribunal determines that the Rights Commissioner's recommendation in relation to the above appellant is upheld under the Terms of Employment (Information) Act, 1994.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

