

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
Employee

CASE NO.
UD729/2007

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

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. D. Mac Carthy SC

Members: Mr. M. Murphy
Mr. J. Moore

heard this claim in Navan on 30 October 2007

Representation:

Claimant(s) :

Ms. Fiona Conroy, Citizens Information Service,
1 Brews Hill, Navan, Co. Meath

Respondent(s) :

Mr. Anthony Murphy, Solicitor,
2 Straffan Green, Maynooth, Co. Kildare

This case came to the Tribunal by way of appeal for implementation of Rights Commissioner Recommendation r-044952-ud-06/JC.

The determination of the Tribunal was as follows:-

The appellant's representative informed the Tribunal that in Rights Commissioner Recommendation r-044952-ud-06/JC it had been recommended that the respondent pay compensation in the sum of €8,000.00 to the abovenamed appellant but that the said amount of compensation had not been paid.

The respondent's representative stated that the respondent accepted that the Rights Commissioner Recommendation had not been complied with.

Determination:

Section 7 (4) (a) of the Unfair Dismissals Act, 1977 to 1993, states:

“Where a recommendation of a rights commissioner in relation to a claim for redress 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 employee concerned may bring the claim before the Tribunal and the Tribunal shall, notwithstanding subsection (5) of this section, without hearing the employer concerned or any evidence (other than in relation to the matters aforesaid), make a determination to the like effect as the recommendation.”

Under Section 7 (4) (a) of the Act (as amended) the Tribunal, implementing Rights Commissioner Recommendation r-044952-ud-06/JC, determines that the respondent shall pay to the appellant compensation in the amount of €8,000.00.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)