

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:

CASE NO.

Employee

UD994/2007

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

Employee and

Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. M. Levey BL

Members: Mr P. Pierce
Mr B. Byrne

heard this claim at Dublin on 20th February 2008

Representation:

Claimant(s): Chris Rowland, SIPTU Education Branch, Liberty Hall,
Dublin 1

Respondent(s): Ms. Denise Fanning, Solicitor, Assistant Manager Of Legal
Services, DAS Group, 12 Duke Lane, Dublin 2

The determination of the Tribunal was as follows:-

This is an appeal by an employee for implementation of the Recommendation of a Rights Commissioner r-047504-ud-06/JT.

It was submitted on behalf of Ms. Therese Byrne, the appellant, that she had received a favourable Recommendation from a Rights Commissioner dated 13 August 2007 and that to date her former employer has failed to implement the recommendation in its entirety. A sum of €3,600 had been awarded to the appellant and to date she had received €900 and a balance of €2,700 has yet to be paid.

Determination.

The Tribunal is satisfied that the employer had not carried out the Recommendation of the Rights Commissioner in this matter, and the time for bringing an appeal against the Recommendation has expired and that no such appeal has been brought.

Accordingly the Tribunal allows the appeal under Section 8 of the Principal Act as amended by Section 7(4)(a) of the Unfair Dismissals (Amendment) Act, 1977 to 2001 and affirms the Recommendation of the Right Commissioner awarding the appellant the sum of €3,600. The appellant has received €900 and the balance of €2,700 to be paid by direct debit until such time as the monies due to the appellant have been paid over.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

