

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
Employer

CASE NO. TU1/07

against the recommendation of the Rights Commissioner in the case of:

Employer
v
2 Employees

under

**EUROPEAN COMMUNITIES (PROTECTION OF EMPLOYEES ON
TRANSFER OF UNDERTAKINGS) REGULATIONS 2003**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr John Fahy

Members: Mr B O'Carroll
Ms H Henry

heard this appeal in Galway on 1st April 2008.

Representation:

Appellant : In Person

Respondent: In Person

This case came to the Tribunal by way of an appeal of a Rights Commissioner decision, reference: r-038561-tu-05/JT.

The decision of the Tribunal was as follows:

At the outset of the hearing the respondent explained that she was not the claimant in the appealed Rights Commissioner decision, but rather she was the representative acting on behalf of XXXX and seven others at that hearing. The appellant agreed that he had named the wrong respondent.

The appeal as formulated was not properly before the Tribunal as the appellant named the incorrect respondent. Therefore, the appeal must fail and the Tribunal affirm the decision of the Rights Commissioner.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)