

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

Employee

CASE NO.

UD741/2008

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

Employer
Employer

under

UNFAIR DISMISSALS ACTS, 1977 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms B. Glynn

Members: Mr P. Pierson
Mr J. Le Cumbre

heard this claim at Longford on 29th October 2008

Representation:

Claimant(s) :

No representation listed

Respondent(s) :

Mr. John J. Quinn, John J. Quinn & Co., Solicitors, Earl Street, Longford

The determination of the Tribunal was as follows:-

This is a claim for implementation of a Right's Commissioner's recommendation dated 8th May
2008 Ref: r-059558-ud-07/SR

Determination:

Section 8 (4) (a) of the Unfair Dismissals Act, 1977 as substituted by S.7 of the Unfair Dismissals
(Amendment) Act, 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, 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.”

The Tribunal, being satisfied that the time for bringing an appeal against the recommendation has expired and no such appeal has been brought, makes a determination to the like effect as Rights Commissioner Recommendation r-059558-ud-07/SR and awards the appellant compensation for unfair dismissal in the amount of €2,300.00 under the Unfair Dismissals Acts, 1977 to 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)