

**EMPLOYMENT APPEALS TRIBUNAL**

APPEAL OF:

CASE NO.  
TE9/2009

Employee

*Appellant*

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

Under

**TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001**

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Mr J Flanagan BL  
Members: Mr J Hennessy  
Mr F Barry

heard this appeal at Portlaoise on 15<sup>th</sup> April 2009

**Representation:**

Appellant: In person  
Respondent: XXXX

**Determination:**

The claimant stated that the decision of the Rights Commissioner had not been implemented.

The respondent stated that the company was in the process of appealing the decision of the Rights Commissioner. The respondent had been present at the Rights Commissioner's hearing and had received a copy of the decision. The respondent accepted that it had not appealed the decision within the period of six weeks as required. The respondent was still dealing with NERA in relation to the claimant and had believed that the EAT and NERA worked hand in hand.

It being common case that the recommendation had not been appealed within the six weeks period allowed for an appeal and also that the recommendation has not been implemented the Tribunal hereby orders that the recommendation of the Rights Commissioner now be implemented.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)