

## EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:  
6 Employees

CASE NO.  
TE45/2009  
TE46/2009  
TE47/2009  
TE48/2009  
TE49/2009  
TE50/2009

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

2 Employers

under

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

I certify that the Tribunal  
(Division of Tribunal)

Chairman: Ms. P. McGrath BL  
Members: Mr. J. Hennessy  
              Mr. F. Barry

heard these appeals in Portlaoise on 10 June 2009

Representation:

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Appellant(s) :

Mr. Patrick McCabe, SIPTU, Unity Hall, Church Street,  
Tullamore, Co Offaly

Respondent(s) :

Mr. Brendan Bonnar, Camas Road, Cashel, Co. Tipperary

This case came to the Tribunal as an appeal for implementation of Rights Commissioner Recommendations r-068062-te/TB, r-068063-te/TB, r-068065-te/TB, r-068069-te/TB, r-068070-te/TB and r-068071-te/TB

The decision of the Tribunal was as follows:-

The appellants sought implementation of the Rights Commissioner Recommendations listed above which stated that each of the appellants was to receive the sum of €2,500.00.

The respondent's representative did not indicate that the appellants had received the above sums or that the respondent had wished to appeal the Rights Commissioner Recommendations.

**Determination:**

Section 8 (6) (a) of the Terms of Employment (Information) Act, 1994, states:

“Where a recommendation of a rights commissioner in relation to a complaint 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 complaint before the Tribunal and the Tribunal shall, without hearing the employer concerned or any evidence (other than in relation to the aforesaid matters), make a determination to the like effect as the recommendation.”

In accordance with the legislation, the Tribunal makes a determination to the like effect as the abovementioned recommendations and implements Rights Commissioner Recommendations r-068062-te/TB, r-068063-te/TB, r-068065-te/TB, r-068069-te/TB, r-068070-te/TB and r-068071-te/TB by which each appellant is to receive from the respondent the sum of €2,500.00 under the Terms of Employment (Information) Acts, 1994 and 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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