

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

Employee

- *appellant*

CASE NO.

TE64/2009

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. Fahy

Members: Mr. D. Morrison

Mr M. McGarry

heard this appeal at Castlebar on 7th September 2009

Representation

Appellant: Mr. Ciaran Campbell, Divisional Organiser, Mandate T.U., Western Division,
Mary Street, Galway

Respondent: No appearance or representation on behalf of

Determination

This is a claim for implementation of a Right's Commissioner's recommendation r-062994-te-08/JT dated 9th December 2008. There was no appearance by or on behalf of the respondent company. The Tribunal was satisfied that it had been properly put on notice of the hearing.

The Tribunal, is satisfied that the recommendation of the Rights Commissioner made under section 3 of the Terms of Employment (Information) Acts 1994 to 2001 has not been carried out by the respondent in accordance with its terms or at all and it is further satisfied that the prescribed six-week time limit for bringing an appeal against the recommendation has expired and no such appeal has been brought. Accordingly, the Tribunal makes a determination to like effect as the Rights Commissioner's recommendation that the respondent pays the appellant €750.00 under the Terms of Employment (Information) Act, 1994 and 2001.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____

(CHAIRMAN)