

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.

EMPLOYEE

TE96/2009

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

EMPLOYER

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. T. Ryan

Members: Mr P. Pierce
Mr J. Maher

heard this appeal at Dublin on 26th November 2009

Representation:

Appellant : Mr. Blazej Nowak, Polish Consultancy Enterprise, 19 Talbot Street, Dublin 1

Respondent : No representation listed

The decision of the Tribunal was as follows:

The implementation came before the Tribunal by way of a Rights Commissioner's recommendation dated 27 January 2009, reference r-066227-te-08/TB. Section 8 (6) of the Terms of Employment (Information) Act, 1994 as amended 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 matters aforesaid), make a determination to the like effect as the recommendation."

Accordingly, the Tribunal orders that the Rights Commissioner's recommendation, under the above Act, be upheld and that the appellant is to be paid €1,000.00 as stated in that recommendation on

receipt of this determination

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

