

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

CASE NO.

EMPLOYEE

UD1942/2009

TE203/2009

for implementation of the recommendation of the Rights Commissioner
EMPLOYER

under

**TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001
UNFAIR DISMISSALS ACTS, 1977 TO 2007**

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. Gilvarry
Members: Mr. D. Morrison
Ms. R. Kerrigan

heard this claim at Letterkenny on 9th December 2009

Representation:

Claimant(s) :

Mr. Miceal Canavan, McGuinness & Canavan, Solicitors,
42 Great James Street, Derry, Bt48 7dw

Respondent(s) :

No appearance for or on behalf of the respondent.

The determination of the Tribunal was as follows:-

This case came to the tribunal by way of an application for implementation of the Rights Commissioner's Recommendations r-062655-ud-08/EOS and r-062657-te-08/EOS.
Correcting order issued pursuant to section 39 of the Organisation of Working Time Act, 1997.

There was an unexplained absence of the respondent or his representative at the hearing. The Tribunal was satisfied that the respondent was properly notified of the hearing.

Having adduced the uncontested evidence of the claimant the Tribunal, being satisfied that the recommendations have not been carried out by the respondent, the time for bringing an appeal against the recommendations has expired and no such appeal has been brought, makes an order to the like effect as the recommendations.

Therefore the tribunal awards the claimant €6,000.00 under the Unfair Dismissals Acts, 1977 to 2007 and a further €950 under the Terms Of Employment (Information) Act, 1994 and 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

