

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:

CASE NO.
TE134/2009

EMPLOYEE

-appellant

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

EMPLOYER

-respondent

EMPLOYER

-respondent

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. M. Levey B.L.

Members: Mr J. Goulding

Mr J. Maher

heard this appeal at Dublin on 24th February 2010

Representation:

Appellant: Ms. Elaine Hickey solicitor, Eugene Smartt, Solicitor,
Newlands Retail Centre, Newlands Cross, Clondalkin, Dublin 22

Respondent: No representation listed

Determination:

The implementation came before the Tribunal by way of a Rights Commissioner's recommendation dated 04th April 2009, reference r-070720-te-08/JC

Section 6. (a) provides:

“(6) (a) 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 makes a Determination (reference TE134/2009), to the like effect of the Rights Commissioner's recommendation, (reference r-070720-te-08/JC), to make an award

f €1,000.00 to the appellant under the Terms of Employment (Information) Act, 1994 and 2001.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)