

## EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:	CASE NOs.
1EMPLOYEE	TE143/2009
2EMPLOYEE	TE144/2009
3EMPLOYEE	TE145/2009
4.EMPLOYEE	TE146/2009
5EMPLOYEE	TE147/2009
6.EMPLOYEE	TE148/2009
7EMPLOYEE	TE149/2009
8EMPLOYEE	TE150/2009
9.EMPLOYEE	TE151/2009

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 N. Russell

Members: Mr J. Browne  
Mr T. Kelly

heard this appeal at Wexford on 30th March 2010

#### **Representation:**

Appellants : Ms Chloe McCarthy B L instructed by  
Richard Grogan & Associates, Solicitors, 16 & 17 College Green, Dublin 2

Respondent : No representation listed

The decision of the Tribunal was as follows:

This implementation hearing came before the Tribunal by way of a Rights Commissioner's recommendations dated 31 March 2009, references:  
te46711/ te46553/ te43481/te46899/te46894/te47069/te47074/te46698/te46434/06/mr

Section 8 (6) (a) of the above Act 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.*

Having been established that the former employer/respondent has failed to appeal or implement these recommendations the Tribunal makes a determination of an award of €2,100.00 to appellants 2, 3, 4, 7, 9 and €2,600.00 to appellants 1, 5, 6, 8 as stated in the recommendations of the Rights Commissioner under the Terms of Employment (Information) Acts, 1994 and 2001.

Sealed with the Seal of the

Employment Appeals Tribunal

This \_\_\_\_\_

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

