

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYER - appellant

CASE NO.
UD853/2009

against the recommendation of the Rights Commissioner in the case of:
EMPLOYEE - respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr. P. O'Leary BL

Members: Mr. A. O'Mara
Mr. F. Barry

heard this appeal in Dublin on 8 March 2010

Representation:

Appellant(s):

No attendance or representation

Respondent(s):

Mr. Jim Coughlan, SIPTU,
Dublin Construction &
Allied Trades Branch,
Liberty Hall, Dublin 1

This case came to the Tribunal by way of appeal against Rights Commissioner Recommendation r-070551-ud-08/RG.

The determination of the Tribunal was as follows: -

The respondent employee and his representative attended the Tribunal for the hearing but there was no attendance at the Tribunal by or on behalf of the appellant company on the morning designated for this hearing.

Determination:

This was an appeal by the employer against the recommendation of a Rights Commissioner. There was no appearance on behalf of the appellant at the hearing of the Tribunal. The Tribunal has no alternative but to find that the appeal against Rights Commissioner Recommendation r-070551-ud-08/RG (by which an award of €25,000.00 was made against the company in favour of the employee) under the Unfair Dismissals Acts, 1977 to 2007, fails and the Tribunal affirms the recommendation of the Rights Commissioner.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)