

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:
EMPLOYEE *-appellant*

CASE NO.
UD2495/2009

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

EMPLOYER *-respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms C. Egan B.L.

Members: Mr T. Gill
Mr P. Trehy

heard this claim at Loughrea on 10th March 2010

Representation:

Claimant: In Person
Respondent: In Person

Determination

The Tribunal was satisfied the time delimited by section 9 (2) of the Unfair Dismissals Acts, 1977 to 2007 to appeal a recommendation of a Rights Commissioner had expired without an appeal having been brought. That time having expired, the claimant has brought a claim for enforcement of the Rights Commissioner's recommendation. As the time for appeal has expired, the only evidence that the Tribunal can hear is in relation to the performance. The Tribunal cannot at this stage reopen the merits of the case before the Rights Commissioner.

The Tribunal is satisfied that the recommendation **r-071902-ud-08** has not been performed in any way. On the basis of the Rights Commissioner's recommendation the Tribunal awards the claimant compensation in the amount of €7,500.00.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)