

EMPLOYMENT APPEALS TRIBUNAL

CLAIM OF:

Employee

- *claimant*

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 D. Donovan

Members: Mr J. Browne
Ms S. Kelly

heard this claim at Carlow on 24th March 2010

Representation:

Claimant: Mr. Eoin McGuigan, Collins Crowley, Solicitors, 1 Malt House Square, Smithfield
Village, Dublin 7

Respondent: In Person

The determination of the Tribunal was as follows:-

Determination:

Section 7 (4) (a) of the Unfair Dismissals Act, 1977 to 1993, states:

“Where a recommendation of a rights commissioner in relation to a claim for redress 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 claim before the Tribunal and the Tribunal shall, notwithstanding subsection (5) of this section, 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 to the like effect as Rights Commissioner Recommendation r-073003-ud-08/JC that the respondent pay the claimant the sum of €8,000.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)