

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE – *appellant*

CASE NO.
UD2515/2009

for the 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. J. McGovern B L

Members: Mr. J. Goulding
Mr. J. Flannery

heard this appeal at Dublin on 20th May 2010

Representation:

Appellant: Mr. Colm MacGeehin of MacGeehin Toale Solicitors,
10 Prospect Road, Glasnevin, Dublin 9

Respondent: Ms. Tara Flynn of Attain Consulting Limited,
Carmichael House, 60 Lower Baggot Street, Dublin 2

The determination of the Tribunal is as follows:

This case came before the Tribunal by way of a request for implementation of the recommendation of the Rights Commissioner reference number r-072620-ud08/EOS.

Determination

The respondent objected to the Tribunal implementing the recommendation of the Rights Commissioner as he had written to the EAT on 21st July 2009 stating that he wished to appeal the Rights Commissioners decision. However he accepted that no Form T1B was lodged.

The Tribunal is satisfied that 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 and the relevant payment being made.

Accordingly the Tribunal makes an order to the like effect as the recommendation. The Tribunal awards the appellant the sum of € 7000.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)