

EMPLOYMENT APPEALS TRIBUNAL

APPEALS OF:

CASE NO.

EMPLOYER –**Appellant**

TE200/2009

TE201/2009

against the recommendations of the Rights Commissioner R-074262-TE-09/TB and R-074265-TE-09/TB in the case of:

EMPLOYEE –**First Named Respondent**

TE287/2009

EMPLOYEE –**Second Named Respondent**

TE288/2009

For implementation of the same recommendations of the Rights Commissioner R-074262-TE-09/TB and R-074265-TE-09/TB

under

TERMS OF EMPLOYMENT (INFORMATION) ACTS, 1994 TO 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. F. Crawford B.L.

Members: Ms. A. Gaule
Mr. J. Flannery

heard these appeals at Dublin on 24 August 2010

Representation:

First Named Party (The Employer):

No appearance by, or representation on behalf of the respondent

Second and Third Named Parties (The Employees):

Mr. Blazej Nowak, Polish Consultancy Enterprise,
19 Talbot Street, Dublin 1

This case came before the Tribunal by way of appeals by the employer against the recommendations of a Rights Commissioner R-074262-TE-09/TB and R-074265-TE-09/TB. On the other hand the employees were seeking to have the recommendations implemented.

The determination of the Tribunal was as follows: -

Determination

Section 8 (6)(a) of the Terms of Employment (Information) Acts, 1994 to 2001 provides for the implementation of recommendations of a Rights Commissioner in circumstances where there has been no appeal of those recommendations. In these cases there clearly have been appeals and on that basis the employees' representative withdrew their claims for implementation.

The Tribunal, being satisfied that the appellant was properly on notice of the hearing, find that his appeals under the Terms of Employment (Information) Acts, 1994 to 2001 fail for want of prosecution. In consequence the Tribunal affirms the recommendations of the Rights Commissioner and awards both the first and second named respondents €1,000-00 each under those Acts.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)