

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE

CASE NO.
UD1188/2010

- claimant

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

- respondent

EMPLOYER

- respondent

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. M. Levey B.L.

Members: Mr. J. Reid
Mr N. Dowling

heard this claim at Dublin on 11th January 2011

Representation:

Claimant(s) : In Person

Respondent(s) : In Person

The determination of the Tribunal was as follows:-

This matter came before the Tribunal by way of an employee, who is the claimant, for the implementation of a recommendation (r-083360-ud-09/GC) of the Rights Commissioner under the Unfair Dismissals Acts, 1977 to 2007.

Determination:

“(6) (a) Where a recommendation of a rights commissioner in relation to a complaint 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 complaint before the Tribunal and the Tribunal shall, 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.”

It having been established that the employer has failed to appeal or implement the said recommendation the Tribunal makes a determination of an award of € 3,000.00 to the employee, to the like effect of the recommendation of the Rights Commissioner (r-083360-ud-09/GC) of the Rights Commissioner under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)