

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE

- claimant

CASE NO.
UD2039/2010

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: Mr P. Hurley

Members: Mr. W. O'Carroll
Mr N. Dowling

heard this claim at Tullamore on 10th June 2011

Representation:

Claimant: In person

Respondent: No appearance by or on behalf of the respondent

This is a claim for implementation of a Right's Commissioner's recommendation dated 12th July
2010 Ref: r-084895-ud-09/DI

The determination of the Tribunal was as follows:-

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 first 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 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 €5,200.00.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)