

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE
- *Appellant*

CASE NO.
TE81/2011

for implementation of the recommendation of the Rights Commissioner reference r-070759-te-08

EMPLOYER
- *Respondent*

under

TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr M. O'Connell B.L.

Members: Ms A. Gaule
Mr G. Whyte

heard this appeal at Dublin on 2nd November 2011

Representation:

Appellant: Ms. Caoimhe Heery, William Fry Solicitors, Fitzwilton House, Wilton Place, Dublin 2

Respondent: No appearance

The decision of the Tribunal was as follows:-

Determination

The implementation came before the Tribunal by way of a Rights Commissioner's recommendation dated 9th November 2010,

“(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.”

Accordingly, the Tribunal orders that the Rights Commissioner's recommendation (reference r-070759-te-08), to make and award of €400 to the appellant under the Terms of Employment

(Information) Act, 1994 to 2001, be implemented on receipt of this determination.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

