

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE -*Claimant*

CASE NO.
UD786/2011
TE115/2011

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

EMPLOYER -*Respondent*

under

UNFAIR DISMISSALS ACTS, 1977 TO 2007 TERMS OF EMPLOYMENT (INFORMATION) ACT, 1994 AND 2001

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr G. Hanlon
 Mr T.O'Sullivan
 Mr O. Nulty

heard this claim at Mullingar on 12th September 2011

Representation:

Claimant: Callan Tansey, Solicitors, Crescent House, Boyle, Co Roscommon

Respondent: No appearance by the respondent nor a representative on his behalf.

The determination of the Tribunal was as follows:

The implementations came before the Tribunal by way of Rights Commissioner's Recommendation dated 11th November 2010 (references r-094500-ud-09 and r-084496-te-09) under the Unfair Dismissals Acts, 1977 to 2007 and the Terms of Employment (Information) Act 1994 and 2001.

The Tribunal is satisfied that the recommendation of the Rights Commissioner made under Section 7 of the Unfair Dismissals Acts, 1977 to 2007 has not been carried out by the employer and it is further satisfied that the prescribed six-week time limit for bringing an appeal against the recommendation has expired and no such appeal has been brought.

The Tribunal is satisfied that the time delimited by Section 9(1) of the Terms of Employment (Information) Act, 1994 to appeal the recommendation of the Rights Commissioner has expired without an appeal having been brought or the payment being completed.

Determination:

Accordingly the Tribunal orders that the Rights Commissioner's Recommendation to make an award of €20,000 to the appellant under the Unfair Dismissals Acts, 1977 to 2007 be implemented upon receipt of this determination.

In addition the Tribunal orders that the Rights Commissioner's Recommendation to make an award of €1,000.00 to the appellant under the Terms of Employment (Information) Act, 1994 to 2001 be implemented upon receipt of this determination.

Sealed with the Seal of the

Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)