

EMPLOYMENT APPEALS TRIBUNAL

CLAIM(S) OF:
EMPLOYEE -*Claimant*

CASE NO.
UD1922/2010

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 R. Maguire B.L.

Members: Mr C. McHugh
 Mr F. Keoghan

heard this claim at Dublin on 17th November 2011

Representation:

Claimant: In Person

Respondent: No appearance or representation on behalf of the respondent.

The determination of the Tribunal was as follows:

Section 7 (4) (a) of the Unfair Dismissals Act, 1977 to 2007, states:

“Where a recommendation of a rights commissioner in relation to a claim for redress 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 claim before the Tribunal and the Tribunal shall, notwithstanding subsection (5) of this section, 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.”

Determination:

The Tribunal, being satisfied that the recommendation of the Rights Commissioner has not been carried out, the time for bringing an appeal having expired and no such appeal having been brought makes a determination to the like effect as the recommendation and awards €16,432.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)