

EMPLOYMENT APPEALS TRIBUNAL

APPEAL OF:
EMPLOYEE

CASE NO.
UD1938/2010

against the recommendation of the Rights Commissioner in the case of:

EMPLOYER
under

UNFAIR DISMISSALS ACTS, 1977 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Mr C. Corcoran B.L.

Members: Mr M. Flood
Mr M. O'Reilly

heard this appeal at Dublin on 15th February 2012

Representation:

Appellant: No representation listed

Respondent: Ms. G. Moriarty, Local Government Management Services Board
Local Government House, 35/39 Ushers Quay, Dublin 8

The determination of the Tribunal was as follows:-

This case came to the Tribunal as an employee appeal under the Unfair Dismissals Acts, 1977 to 2007, against Rights Commissioner Recommendation r-073430-ud-08/EH.

Determination:

Pursuant to section 9(2) of the Unfair Dismissals Acts 1977-2007 “an appeal under this section shall be initiated by a party by giving, within 6 weeks of the date on which the recommendation to which it relates was given to the parties concerned, a notice in writing (containing such particulars (if any) as may be specified in regulations under section 17 of this Act for the purposes of section 8 (8) thereof) to the Tribunal and stating the intention of the party concerned to appeal against the recommendation and a copy of the notice shall be given to the other party concerned within the said period of 6 weeks.”

The appeal was not submitted to the Tribunal within the six week period as specified in section 9(2) above. Accordingly, the Tribunal has no jurisdiction to hear the appeal.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)

