

**EMPLOYMENT APPEALS TRIBUNAL**

CLAIM OF:  
EMPLOYEE

*-claimant*

CASE NO.  
UD1695/2011

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 L.S. Ó Catháin  
Members: Mr J. Browne  
Mr F. Dorgan

heard this claim at Waterford on 23rd February 2012

**Representation:**

Claimant: Mr. David Lane, SIPTU, Connolly Hall, Summerhill, Waterford  
Respondent: In Person

**Determination**

Section 7 (4) (a) of the Unfair Dismissals Act, 1977 to 1993, 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.”

Accordingly, the Tribunal makes a determination to the like effect as Right Commissioner Recommendation **r-097158-ud-10/MMG** that the respondent pay the claimant the sum of €3,000.00 under the Unfair Dismissals Acts, 1977 to 2007.

Sealed with the Seal of the  
Employment Appeals Tribunal

This \_\_\_\_\_

(Sgd.) \_\_\_\_\_  
(CHAIRMAN)